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THE UNITED STATES'

NAVAL CHRONICLE.

"Sustentans et sustentatus."

BY CHARLES W. GOLDSBOROUGH.

VOL. I.

WASHINGTON CITY:
PRINTED BY JAMES WILSON.
1824.

DISTRICT OF COLUMBIA, *to wit:*

BE IT REMEMBERED, That on the tenth day of January, in the year of our Lord one thousand eight hundred and twenty-four, and of the Independence of the United States of America, the forty-eighth, Charles W. Goldsborough, of the said district, hath deposited in the office of the Clerk of the District Court for the District of Columbia, the title of a book, the right whereof he claims as author and proprietor, in the words following, to wit:—United States' Naval Chronicle "Sustentans, et Sustentatus," by Charles W. Goldsborough, vol. I, 1824. In conformity to the act of the Congress of the United States, entitled "An act for the encouragement of learning, by securing, the copies of Maps, Charts, and Books, to the authors and proprietors of such copies during the times therein mentioned"—and also to the act entitled "An act supplementary to an act entitled 'an act for the encouragement of learning, by securing the copies of Maps, Charts, and Books, to the authors and proprietors of such copies, during the times therein mentioned,' and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints."

L. S.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the public seal of my office, the day and year aforesaid.

EDMUND I. LEE,
Clerk of the District Court for the District of Columbia.

PREFACE.

The chronologist owes to the world a true and impartial account of the events he proposes to record. While the country of his birth may justly claim his inviolable fidelity and his undivided love, truth commands him to feel that he is a member of the great community of man, and that his record, to be useful, must be true. If, per chance, it should disclose errors on the part of his government, or of his fellow citizens, it will afford the opportunity of manifesting their wisdom, by a change of policy or measures. If, on the contrary, it should proclaim the wisdom of those who rule, or the prowess of those who meet in the field of battle, it will be viewed with complacency, if not with pride, and excite a spirit of emulation, fruitful in patriotism and heroic daring.

We advert with a filial fondness to those pages of our own history, which denote the wisdom of our forefathers, the energy of their arms, and the invincibility of their virtues.

The recollection of these cannot fail to inspire their descendants with a sentiment, as holy as it is true, that, as *exertions* and *sacrifices* gained our triumphant battle for the liberties of our country, so they still remain as the corner stone and arch to the perpetuation of national glory.

In every age wisdom and valor have founded empires, and imbecility and want of energy have marked their decline.

To trace the early periods in which nations first developed their character, the steps by which they arrested the attention of the world; to describe faithfully the actors who displayed the most prominent figures in the drapery of the times, is a task of great labor and difficulty; the more remote the period, the more laborious is the task, and the more difficult the acquisition of records entitled to confidence, until at length all becomes impenetrable darkness, and fable and poetry supply the place of chronology.

Much of our young, yet interesting history, has already sunk under the pall of oblivion; and that more would share a similar fate, if some timely hand were not outstretched in its preservation, cannot be questioned. That part which relates to our Navy, and our early maritime expeditions, in our revolutionary war, has nearly disappeared from our view, and the most minute research can rescue only a diminutive portion. The standing of the nation seems to forbid, that subsequent events should experience a similar oblivion.

The partiality of friends, induced us to undertake this work. For many years we resisted their advice, in the hope that others, having more leisure, and possessing higher qualifications, would engage in the task. But having undertaken it, although we are fully aware of the labor and responsibility attending its execution, we shall pursue it with a determination to do it all the justice in our power.

For the facts connected with the events of our revolutionary war, we are much indebted to the labor of others; and we frankly acknowledge our obligations. Some of them have been derived from the actors in the scenes presented—some have been taken from the Pennsylvania Packet—from Clark's Naval History—from Ramsay, Gordon, and others; excluding what appeared doubtful in either. We have diligently searched the journals of the revolutionary Congress, and given all the essential facts which they afford. It was not our intention, originally, to have touched on this portion of history; and we, therefore, did not promise it in our prospectus. It is to be considered as gratuit-

ously given, and will, we hope, be received with indulgence, if not with approbation.

With regard to the occurrences, since the revolutionary war, we tread upon firmer ground, and feel increased confidence, from the authenticity of documents within our reach. On all occasions we have endeavored scrupulously to confine ourselves to the facts, and have yielded advantages to opponents, rather than claim more than is impartially and justly due.

Our first intention was to proceed in regular chronological order; but a little reflection satisfied us that this course might not be acceptable to our readers; since, if pursued, to gain information upon any one subject, it would have involved the necessity of looking through volumes. Hence the plan adopted, to take up subjects separately, and present them in chapters, confining ourselves, as much as possible, to the circumstances or events to which they have immediate relation.

Many features will present themselves, in regarding the actual organization of our navy, which indicate inexperience, we will not say neglect, in our national legislature; of which we would ever wish to speak with that reverence justly due to their exalted station; but we would examine their proceedings with that republican candor and frankness which is our right, and which, we persuade ourselves, will be acceptable to that illustrious body. It appears unquestionable that the economy and efficiency of the naval system may be greatly improved, by consulting the experience of older nations, and of practical men in our own service—a service distinguished, not by the valor only, but by the ardent patriotism, and professional intelligence, of those who are engaged in it.

We have ever considered that a navy, adequate to the defence of those invaluable rights, secured to us by the arms and sacrifices of our predecessors, is essential to the union of the States, and to the prosperity and honor of the republic; and we feel a strong persuasion, that an attentive and dispassionate consideration of the events which form its history, will satisfy the community at large, of the correctness of this opinion.

In the course of our observations, we shall endeavor to show the intimate connection, between a *defensive navy*, and every essential interest of the nation; that while the tendency of this arm of power, is to sustain and invigorate the best interests of commerce, agriculture, and manufactures, it ought, in return, upon the soundest principles of policy, to be adequately and liberally sustained by them.

THE UNITED STATES'

NAVAL CHRONICLE.

CHAPTER I.

Civil Administration—Officers of the Revolutionary Navy—Their rank and command—Their relative rank with the army—Their pay and allowances:—Resolution respecting the appointment of Surgeons and Surgeons' Mates—Pendants, private vessels not permitted to wear them—Vessels of war authorized to be built or purchased—Their employment—General letters of Reprisal—Expedition to New Providence—Commodore Hopkins—Naval achievements—Advantages possessed by Great Britain—Arrival of a French fleet—Value of captures by our cruisers—Effects upon the British—Vessels finally disposed of—Virginia permitted to keep two small vessels of war.

DURING the Revolutionary War, the superintending direction of the Navy was committed, in the first instance, to a committee of three members of Congress, viz: Messrs. Deane, Langdon, and Gadsden, who were, in October, 1775, required to fit out two swift sailing vessels, the one of 10, the other of 14 guns, and a proportionate number of swivels and men, to cruize "eastward," for the purpose of intercepting such transports as might be laden with munitions of war, and other supplies for the British, then in possession of the town of Boston, and for such other purposes as Congress might direct. Having resolved to fit out two more vessels, (30th October,) viz: one of 20, the other of 36 guns, four members, Messrs. Hopkins, Hewes, R. H. Lee, and J. Adams, were added to the committee; and when Congress, by resolution of 13th December, 1775, determined to build thirteen additional vessels of war, they increased the number of the naval committee, so as to make it consist of one member from each colony, to be appointed by ballot; and on the 14th December the following gentlemen were accordingly thus appointed:—Messrs. Bartlett, Hancock, Hopkins, Deane, Lewis, Crane, R. Morris, Read, Chase, R. H. Lee, Hewes, Gadsden, and Houston.

To this committee Naval subjects were generally referred, with an instruction to examine and report thereon, for the final decision of the House. Congress reserved to themselves the power of appointing all commission officers, as low as, and including *third* lieutenants, and gave to the committee

the power of appointing all officers, of subordinate rank. The committee were authorized to give such instructions for the employment of the ships as might appear to them "most conducive to the defence of the United Colonies, and to the distress of the enemy's naval forces and vessels bringing supplies to their fleets and armies."

In performing the duties assigned to them, the committee experienced great inconvenience for want of professional practical information, and upon the subject being brought before Congress, they resolved, (November 6, 1776,) "that three persons, well skilled in maritime affairs, should be immediately appointed to execute the business of the Navy, under the direction of the Marine Committee, and allowed to each a salary of 1,500 dollars, per annum; and, on the 13th November, John Nixon, John Wharton, and F. Hopkinson, Esqrs. were appointed. They were styled in the resolutions of Congress, "The Continental Navy Board, or Board of Assistants to the Marine Committee," and sometimes, "Board of the Middle District." There was also an "Eastern Board," consisting of three persons, who executed the instructions of the Committee in their district.

This system of administering the civil department of the Navy, continued, it is believed, till October, 1779, when Congress, by resolution, (28th,) decided that a Board of Admiralty should be established, "to consist of three Commissioners, not members of Congress, and two members of Congress; any three to form a Board for the despatch of business." Early in 1781, (January 11th,) we find that James Reed, Esqr. was, by resolution of Congress, invested with full power to conduct the business of the Navy Board in the "Middle Department;" and soon after this, (February 27th,) Major General Alexander M'Dougall was elected Secretary of Marine. In the same year, (August 29th,) it was resolved, that an "Agent of Marine" should be appointed, "with authority to direct, fit out, equip, and employ, the ships and vessels of war belonging to the United States, according to such instructions as he shall, from time to time receive from Congress;" and "that, as soon as the said Agent shall enter into the execution of his office, the functions and appointments of the Board of Admiralty, the several Navy Boards, and all civil officers appointed under them," should cease. In September, (6th,) a resolution was passed, by which the duties prescribed to the "Agent of Marine," until he should be appointed, devolved on the Superintendent of Finance, Robert Morris, who indeed appears to have had the chief agency in the civil administration of the Navy, during the greater part of the revolutionary war. In the earliest periods, we find that the orders to the commanders generally, bear his signature, and continue to be most frequently signed by him, until a Board of Admiralty was established, when the correspondence was conducted under the superintending direction of the Board, by Mr.

John Brown, their secretary. After the Board of Admiralty was abolished, we again find the chief duties of the department devolving upon Mr. Morris. It would, indeed seem, that the nation could not conveniently have conducted either its naval or its fiscal operations, without the agency of this distinguished patriot. As chief of the naval committees, of the secret committees, and of the financial department, his great intelligence, his probity, his liberality, his love of country, zeal in her service, and unwearied industry, commanded the universal confidence of that age, and rendered him probably the most fit man that could have been selected for the discharge of the important confidential duties entrusted to him.

FROM the Journals of Congress and other sources, we find that the following Commission Officers were appointed by them during the War.

CAPTAINS AND COMMANDERS.		CAPTAINS AND COMMANDERS.	
When App'd.	*Names.*	*When App'd.*	*Names.*
1775—Dec. 22.	Ezekiel Hopkins,		Henry Skinner,
- - -	Dudley Saltonstall,		Benj. Dunn,
- - -	Abraham Whipple,		Saml. Chew.
- - -	Nicholas Biddle,		
- - -	John B. Hopkins,		LIEUTENANTS.
1776—April 17.	William Manly,	1775—Dec. 22.	John Paul Jones, 1st.
- - -	Isaac Cozneau,	- - -	Rhodes Arnold, ..
——June 6.	Thomas Thompson,	- - -	——— Stansbury, ..
- - -	Samuel Tomkins,	- - -	Hoysted Hacker, ..
- - -	Christr. Miller,	- - -	Jonathan Pitcher, ..
- - -	John Barry,	- - -	Benj. Seabury, 2d.
- - -	Thomas Read,	- - -	Joseph Olney, ..
- - -	Charles Alexander,	- - -	Elisha Warner, ..
- - -	James Nicholson,	- - -	Thomas Weaver, ..
——15.	Hector McNiel,	- - -	——— McDougall, ..
- - -	Thos. Grennall,	- - -	John Fanning, 3d.
—— Aug. 13.	Elisha Hinman,	- - -	Ezekeil Burroughs, ..
——22.	John Hodge,	- - -	Daniel Vaughan, ..
- - -	John Manly,	1776—June 6.	Israel Turner, 1st.
—— Oct. 10.	Lambert Wickes,	- - -	Joseph Doble, 2d.
- - -	William Hallock,	- - -	Mark Dennet, 3d.
- - -	Hoysted Hacker,	——July 22.	Peter Shores, ..
- - -	Isaiah Robinson,	- - -	John Wheelright, ..
- - -	John Paul Jones,	- - -	Josiah Shackford, ..
- - -	James Josiah,	——Aug. 17.	William Barnes, 1st.
- - -	Joseph Olney,	- - -	Thomas Vaughan, 3d.
- - -	James Robinson,	——22.	Jonathan Maltby, 1st.
- - -	John Young,	- - -	David Phipps, 2d.
- - -	Elisha Warner,	- - -	——— Wilson, 1st.
- - -	Lt. Comd't. J. Baldwin,	- - -	John Nicholson, 2d.
- - -	Thos. Albertson,	1777—Feb. 5.	Elijah Bowen. 1st.
1777—Feb. 5.	Henry Johnson,	——Aug. 6.	John Rodeg, 2d.
——Mar. 15.	Daniel Waters,	——12.	William Molleston, 3d.
- - -	Samuel Tucker,	1781—July 20.	Richard Dale, ..
1778—May 1.	William Burke,	- - -	Alexander Murray, ..
——June 18.	Peter Landais,	- - -	——— Plunkett, ..
——Sept. 25.	Seth Harding,	- - -	Joshua Barney, ..
1779—Sept. 17.	Silas Talbot.		Isaac Buck,
	Saml. Nicholson,		John Stevens,
	John Nicholson,		Aquilla Johns,

MARINES.

Samuel Nichols, Major—Appointed 25th June, 1776.

When App'd.	CAPTAINS.	*When App'd.*	LIEUTENANTS.
1776—June 25.	Andrew Porter,	- - -	Franklin Reed. ..
- - -	Joseph Hardy,	- - -	Peregrine Brown, ..
- - -	Samuel Shaw,	- - -	James McClure, 2d.
- - -	Benj. Deane,	- - -	William Gilmore, ..
- - -	Robert Mullin,	- - -	Abel Morgan, ..
- - -	John Stewart,	- - -	Hugh Montgomery ..
——July 22.	George J. Osborne,	- - -	Thomas Pownal, 1st.
- - -	Richd. Palmer,	- - -	Richard Harrison 2d.
1781—Sept: 6.	William Nicholson,	1776—July 22.	Stephen Meade, 1st.
		- - -	Nathl. Thwing, 2d.
	——	- - -	Benj. Thompson, ..
		——Aug. 24.	Alpheus Rice, 1st.
	LIEUTENANTS.	1779—July 24.	Abraham Vandyke, ..
1776—June 25.	Daniel Henderson, 1st.	1787—July 17.	William Nicholson, ..
- - -	David Love, ..	——Sept. 6.	Louis de la Valette. ..

These Lists of Officers, appointed during the revolutionary war, are obviously very imperfect; they are, however, as complete as the information in our possession will enable us to make them. The frequent changes in the administration of the civil department of the Navy, the occasional resolutions of Congress, conferring sometimes upon one of the Boards the power of appointing; at others, giving to individual members, in conjunction with commanders, authority to appoint subalterns, the destruction of papers by fires, and other causes, have involved this branch of the subject in great uncertainty; and it is believed to be impossible, at this day, to present a perfect List of the Officers. Were the information attainable, it would be particularly gratifying to show, not only the names of those who were serving in the continental navy, but of those, also, who served on board the ships, fitted out at the expense of the respective Colonies, and on board privateers. The greater portion of them are now no more; but we owe reverence to their memory, for the services they performed, in assisting, as they did essentially, in the emancipation of the Colonies.

With respect to the relative rank of the officers, Congress, by resolution of the 17th April, 1776, decided, that "the nomination or appointment of Captains or Commanders," should not "establish rank." It was to be settled by Congress, before the commissions should be granted; and we find, that by a resolution of the 10th October, 1776, Congress established the rank and command of the Captains, as follows:

1	James Nicholson,	Virginia,	28	GUNS.
2	John Manly,	Hancock,	32	—
3	Hector McNiel,	Boston,	24	—
4	Dudley Saltonstall,	Trumbull,	28	—
5	Nicholas Biddle,	Randolph,	32	—
6	Thomas Thompson,	Raleigh,	32	—
7	John Barry,	Effinhgam,	28	—
8	Thomas Reed,	Washington,	32	—
9	Thomas Grennall,	Congress,	28	—
10	Charles Alexander,	Delaware,	24	—
11	Lambert Wickes,	Reprisal,	16	—
12	Abraham Whipple,	Providence,	28	—
13	John B. Hopkins,	Warren,	32	—
14	John Hodge,	Montgomery,	24	—
15	William Hallock,	Lexington,	16	—
16	Hoysted Hacker,	Hamden	—	—
17	Isaiah Robinson,	Andrew Doria,	14	—
18	John Paul Jones,	Providence,	12	—
19	James Josiah,	———	—	—
20	Elisha Hinman,	Alfred,	28	—
21	Joseph Olney,	Cabot,	16	—
22	James Robinson,	Sachem,	10	—

23	John Young,	Independence,	10 GUNS.
24	Elisha Warner,	Fly,	
	Lieut. John Baldwin,	Wasp,	8 —
	Lieut. Thos. Albertson,	Musqueto,	4 —

And the Marine Committee were empowered to regulate the rank of Lieutenants.

It is presumed that the commanders appointed after the 10th October, 1776, ranked according to the dates of their respective appointments. On referring to the list of captains and commanders, and comparing it with the above, it will be seen, that Congress, in arranging the rank, did not include the names of Ez. Hopkins, William Manly, Isaac Cozneau, Samuel Tomkins, or Christopher Miller.

Having established the relative rank of commanders in the Navy, with each other, Congress, on the 15th November following, resolved, that the rank of naval officers, to the rank of officers in the land service, should be,

Admiral,	as a	General.
Vice Admiral,	"	Lt. General.
Rear Admiral,	"	Major General.
Commodore,	"	Brigadier General.

Captain of a ship of 40 guns and upwards, Colonel.
Captain of a ship of 20 to 40 guns, Lieut. Colonel.
Captain of a ship of 10 to 20 guns, Major.
Lieutenant, " Captain,

And at the same date, the following was fixed as the pay of the officers of the Navy:—

	Ships of 20 guns and upwards.	*Ships of 10 to 20 guns.*
Captains, per month,	$60	$48
Lieutenant,	30	24
Master,	30	24
Surgeon,	25	21 2-3
Midshipman,	12	12
Gunner,	15	13
Chaplain,	20	None.
Seamen,	8	8

And that vessels, under 10 guns, should be commanded by Lieutenants, and that the pay in such vessels should be, Lieutenant, $30; Mate, $15; Boatswain, Gunner, &c. $12; and the following allowances were, on the 25th July, 1777, established, viz:

Commanders of vessels of 10 guns, and upwards, $5 1-3 per week, for subsistence;
Under 10 guns, - - $4

Cabin expenses—Commanders of 10 guns, and upwards, $2 2-3 per week, whilst at sea.

Lieutenants, Surgeons, Captains of Marines, and Chaplains, $4 per week subsistence, in domestic ports, when the ships should not be in a condition to receive them.

The pay of the Commander in Chief was fixed, (22d December, 1775,) at $125 per month, and the pay of Surgeons was increased, (16th July, 1777,) so as to be equal to that of Lieutenants.

On the 30th September, 1776, Congress "Resolved, that it be recommended to the legislatures of the United States, to appoint gentlemen in their respective states, skilful in physic and surgery, to examine those who offer to serve as surgeons, or surgeon's mates, in the army or navy; and that no surgeon or mate shall hereafter receive a commission or warrant, to act as such, in the army or navy, who shall not produce a certificate from some one of the examiners, so to be appointed, to prove that he is qualified to execute his office."*

On the 29th October, it was "Resolved, that no private ship or vessel of war, merchant ship or other vessels, belonging to the subjects of these states, be permitted to wear pendants, when in company with continental ships or vessels of war, without leave from the commanding officer thereof."

"That if any merchant ship or vessel, shall wear pendants, in company with continental ships or vessels of war, without leave from the commander thereof, such commander be authorised to take away the pendant from the offender."

"That if private ships or vessels of war, refuse to pay the respect due to the continental ships or vessels of war, the captain or commander, so refusing, shall lose his commission."†

During the war, Congress authorised the purchasing, or building and equipping, as cruizers, the following description of vessels:

1775, October 13,	2	vessels of 10 and 14 guns.
30,	2	do. 20 36
December 13,	13	—5 of 32, 5 of 28, and 3 of 24 guns.
1776, October 3,	3	—viz. 1 frigate and 2 cutters.
November 9,	10	—viz. 3 of 74 guns, 5 of 36, 1 of 18, and 1 packet.
1777, January 23,	2	—viz. 1 of 36, and 1 of 18 guns.

Eight prize vessels were, during the years 1776 and 1777, directed to be purchased and fitted out; and in the course

*It appears to us, a subject of regret, that similar provisions do not at this day exist in the navy of the United States. Medical appointments are more important than they are generally considered in our service. The lives of our officers and seamen, are surely too valuable to be committed to the hands of unskilful physicians.—A rule, requiring that every applicant, for a medical appointment, should exhibit unquestionable testimonials of professional qualification, would, we should think, greatly improve this department of the service.

† A national ship, may be considered as representing the sovereignty of the state to which she belongs; and as such, is surely entitled to distinguished respect from vessels, armed or unarmed, belonging to the citizens of such state. It is to be hoped, that these salutary provisions will be revived in our service.

of the war, a number of cutters, despatch boats, gallies, and fire-ships, were, from time to time, authorised. The cutters and despatch boats were generally under the direction of a secret committee, one of whose duties was to procure munitions of war; and who, for that purpose, were authorised to export certain articles of provisions to the West Indies. The gallies and fire-ships were for the defence of our waters, within land locked navigation and the lakes.

The thirteen ships authorized, on the 13th December, 1775, were directed to be built, one in New Hampshire, two in Massachusetts Bay, one in Connecticut, two in Rhode Island, two in New York, four in Pennsylvania, and one in Maryland; and by resolution of 6th June, 1776, their names were fixed, viz: The Congress, Randolph, Hancock, Washington, Trumbull, Raleigh, Effingham, Montgomery, Warren, Boston, Virginia, Providence and Delaware,

Among those authorized, and subsequent to 13th December, 1775, and not heretofore mentioned by name, we find the Columbus, twenty-eight, the Queen of France twenty-eight, the Ranger eighteen, the Alliance thirty-two, built at Salisbury, Massachusetts, the Hornet, brig Gen. Gates, frigates Confederacy, Deane, (afterwards changed to Hague,) and Ariel, sloop Saratoga, Duc de Lauzun, and the America, 74.

With respect to the employment of the Navy, the object in providing the four vessels in October 1775, as avowed by Congress, was to intercept transports laden with munitions of war and other supplies for the army and navy of Great Britain, then within the united colonies. This was an object of vast importance to the colonies, as they were greatly deficient in every description of arms, ammunition and clothing. It was indeed a measure considered essential to the preservation of the army, and to a successful prosecution of the defensive war in which the colonies were engaged.

The cruisers of Great Britain had captured a number of our merchant vessels, which had cleared out at the respective custom houses agreeably to the regulations established by acts of the British Parliament; they had burnt and destroyed Falmouth,* a flourishing village on the sea coast of Massachusetts: they had fired upon and injured several other towns within the colonies, and dispersed, at a late season of the year, hundreds of helpless women and children "a mode of warfare long exploded amongst civilized nations." They were acting under instructions to treat every town or place accessible to them, where any troops should have been raised or military works erected, "as in a state of actual rebellion," when Congress, participating in the indignant feelings entertained by the patriotic people of Massachusetts, and the neighbouring colonies, authorized, on the 25th November, 1775, the capture of any armed vessel

*Now Portland.

employed against the colonies, and of any transport, or other vessel, engaged in carrying munitions of war, provisions or other necessaries to the British Army or Navy, within the United Colonies; at the same time, they authorized the fitting out of privateers, and established judicial tribunals, to take cognizance of prizes; adopting for their government the general principles of national law, and granting an appeal in all cases to their own body.

Several small cruisers had previously been fitted out, under the authority, and by the direction, of General Washington, and Congress declared that the captures made by them "were justifiable." Some captures had indeed been made, without any authority either from Congress, the colonies, or any military chief, but in retaliation for the wrongs and indignities practiced towards us by the British arms. One of these cases, the first that occurred, and the first instance, it is believed, of a flag being taken on the water, during the revolutionary war, will be particularly mentioned hereafter. Immediately, upon authority being given by Congress, our coasts "soon swarmed with the privateers of New England." Those of Massachusetts were "particularly successful, and the enemy, who seem to have been under no apprehensions of an attack, on what was deemed their peculiar element, smarted severely under these first essays of the colonies in maritime war." Three days after authorizing these measures, Congress established rules for the government of the Navy.

Congress had not yet gone so far as to grant general letters of reprisal; but they had probably gone to the utmost verge they could go, consistently with allegiance to the King of Great Britain, which had not then been disavowed, and which, at that period, there was scarcely any disposition openly manifested, in any individual, to disavow.

General letters of reprisal were however authorized on the 23d March, 1776, and thenceforth the public and private cruisers of the united colonies were at liberty to capture all vessels, armed or unarmed, belonging to the crown, or to the inhabitants of Great Britain. Vessels bringing settlers, arms, ammunition, or warlike stores, to and for the use of the colonies, or any of the inhabitants thereof, who were friends to the American cause, and such warlike stores and the effects of such settlers, were alone exempted from capture.

Late in the month of December, 1775, a small squadron, consisting of the Alfred, commodore Ezekiel Hopkins, of 28 guns; the Columbus, captain A. Whipple, 28 guns; the Andrew Doria, captain Nicholas Biddle, of 14 guns; the Sebastian Cabot, capt. John D. Hopkins, of 16 guns; and the Providence, Hazard, of 12 guns, with the Falcon, Scorpion, and Cruiser, which were to join them at Cape Fear, were ordered to New Providence, for the purpose of seizing and transporting to the colonies, a large quantity of ammunition, which it was understood was de-

posited in the Royal magazines on that island. After landing, there was some unaccountable delay, and the Governor heard of Commodore Hopkins' approach, in time to remove the powder, before he reached the town. Thus the expedition failed, as to the principal object; the Governor and Lieutenant Governor, with about forty cannon, a quantity of shot and shells, and a few brass mortars, were taken, and were the only trophies of an expedition which had been confidently calculated on for a liberal supply of powder, of which we stood in great need. A bomb brig of 8 guns, and a schooner of 6 guns, were taken by the squadron on its return home.

Commodore Hopkins' conduct was inquired into by Congress, and it was found that he had not paid due regard to the tenor of his instructions, which "directed him to annoy the enemy's ships upon the coasts of the southern states."—The reasons he assigned for not going from Providence to the Carolinas, were not satisfactory; and on the 16th August, 1776, Congress passed a vote of censure upon him. Three days afterwards, he was ordered to Newport, to take "command of the fleet formerly put under his care." It is found, however, that Congress, in arranging the rank of the officers, on the 10th October following, omitted his name.

It is not in our power to afford particular information as to the movements of our national ships, during the revolutionary war. It is indeed, believed, that such information is not within the reach of any individual. We have in vain consulted all the books and papers in our possession; no where could we find the materials to justify our undertaking any thing like a connected series of events.

We content ourselves, therefore, upon this point, and we hope our readers will be satisfied, with giving a description of some of the most brilliant achievements that occurred during that eventful period.

CAPTAIN JAMES NICHOLSON

Was first appointed to the Virginia, of 28 guns. She was lost in the Chesapeake Bay, in the year 1778. An inquiry was instituted by Congress, 18th April, and the result attached no degree of censure to captain Nicholson. In the year 1780, we find captain Nicholson in command of the Trumbull, of 28 guns. On the 2d June, he had an action with the Watt, a letter of marque, supposed to be fully a match for one of our heaviest frigates. She was greatly superior in guns, and in number of men, to the Trumbull. The action was within pistol shot, was maintained with great gallantry on both sides, and it lasted, it is said, nearly three hours, when captain Nicholson, having lost his main and mizen masts, and the foremast being badly wounded, was reluctantly constrained to discontinue the contest, an event which, it is presumed, was not displeasing to the commander of the

Watt, whose loss has been stated at ninety men, killed and wounded. The Trumbull's loss, in killed and wounded, was (29,) less than a third of that number.

On the 8th August, 1781, the Trumbull, with a very reduced crew, estimated at one hundred and eighty men only, sailed from the Delaware: she had scarcely cleared the capes, when three enemy's ships were descried in the east, with their top-gallant-sails out. The Trumbull's foretopmast and maintopgallantmast were carried away, and she could steer only directly before the wind—She had not cleared away the wreck of her foretopmast, &c. when one of the ships, the British frigate Iris, came alongside, the other two being in sight. An action was commenced with the Iris, and was continued for more than an hour, and rather to the advantage of the Trumbull, when another of the ships, (a frigate also,) came up and fired into the Trumbull. A contest against such odds, could not be maintained with any prospect of success, neither could captain Nicholson escape, his vessel being a perfect wreck, not having a mast standing. The colors were therefore struck. Alexander Murray, who had recently been appointed a lieutenant in the navy by Congress, was a volunteer on board the Trumbull, and displayed great gallantry in the action.

CAPTAIN JOHN MANLY.

In command of the schooner Lee, captain Manly, acting, it is believed, under the authority of General Washington, in November, 1775, captured the transport, Nancy, loaded with munitions of war, and bound to Boston, for the use of the British army; thus transferring the ownership and use of the cargo from the British to the American army. The event was announced, in a letter from General Washington to Congress, of 30th November, as one of great importance, furnishing our army with many essential articles of which it had been in great want. While in this command, captain Manly made other valuable captures. His zeal and enterprize, attracted the attention of Congress, and that body, on the 17th April, 1776, appointed him a captain in the Navy, and gave him the command of the frigate then building in Massachusetts Bay, afterwards called the Hancock, of 32 guns. In this frigate, after a severe action, of more than an hour, captain Manly captured the Fox, of 28 guns, and ordered her into port, but she was recaptured by the Flora, of 32 guns.

In July, 1777, captain Manly, after a chase of more than 30 hours, was captured by the frigate Rainbow, Sir George Collier, of 40 guns, and the brig Victor. Captain Manly displayed great seamanship in his attempt to escape from this greatly superior force; but fortune proved unpropitious in this instance, and the Hancock was surrendered. The Boston, captain Hector M'Niel was in company with the Hancock, when the Rain-

bow was first discovered, but she afforded no assistance. Captain M'Niel was dismissed from the service, for his conduct in separating from the Hancock. The conduct of captain Manly was investigated, but the result left him without reproach.

Having been exchanged, he took command of the privateer Cumberland, and while cruising in her, was captured by the frigate Pomona, and carried into Barbadoes. Being there denied the privilege of parole, he made his escape, and we next find him in command of the privateer Jason, in which vessel, he was, in July, 1779, attacked by two British privateers, one of 18, the other of 16 guns. Reserving his fire, captain Manly ran between them, aud poured his starboard broadside into one, and his larboard broadside into the other, and both struck their colors to him.

In September, 1782, captain Manly was appointed to the Hague, (formerly the Deane.) Cruising in the West Indies, he made a wonderful escape from an overwhelming force, the particulars of which are not, however, sufficiently known to be stated with any degree of confidence. We have read an account of his having grounded on a sand bank near Guadaloupe, and while in that situation, sustained the broadsides of four ships of the line, within point blank shot, for three days; but this is too poetic for our belief. The affair, however, gained captain Manly much eclat, and on his safe return to Boston, he was received, (we are informed,) with distinguished attention, by the citizens of that patriotic town.

CAPTAIN NICHOLAS BIDDLE,

In command of the Andrew Doria, of 14 guns, displayed that activity, zeal, and intelligence, which promised as much distinction as his friends or country could desire for him. He made a number of prizes, and had, at an early period, raised the expectations, of his friends to such a height, that by many of them, he was pronounced, and probably justly, not to have his superior in merit, in the service. While cruising near the Banks of Newfoundland, he intercepted two transports, with four hundred Highland troops on board, and was so successful in making captures, that, it is said, he returned to the Delaware, with five only of the men which composed his crew, when he last left that river. He had distributed them among the captured, and received in return such of the crews of his prizes as were disposed to enter into the continental service.

Captain Biddle was appointed by Congress, [6th June, 1776,] to command one the frigates then building in Philadelphia—the Randolph of 32 guns. In February, 1777, she sailed on a cruize. In a few days, a defect discovered in his masts, induced him to put into Charleston, (S. C.) to repair them. Having refitted, he again sailed, and three days after being out he fell in with four vessels from Jamaica, one of them the True

Briton, of 20 guns. Having captured the whole four, he returned with them to Charleston. This success gave such animation and encouragement to the state authorities of South Carolina, that they fitted out four small vessels of war [General Moultrie, Fair American, Polly, and Notre Dame,] and placed them under the orders of captain Biddle. The immediate object was, an attack upon the Cary's fort frigate, the Perseus, of 24 guns; the Hinchinbrook, of 16, and a privateer, then cruizing off Charleston. The bar of Charleston, and adverse winds, detained captain Biddle so long in Rebellion Road, that when he got to sea the British cruizers had disappeared, He captured a small schooner, and proceeded on his cruize, till between 8 and 9 o'clock at night, of the 7th March, 1778, he fell in with the Yarmouth, Captain Vencent, of 64 guns. An action immediately commenced, by a broadside from the Randolph, and was maintained with great energy for twenty minutes, or more, when the Randolph blew up; and the gallant Biddle, with three hundred and ten of his crew, perished in a blaze of glory—Four only of his men escaped; and they were picked up by the Yarmouth, four days after the action, having supported themselves, on a piece of the wreck, without any thing to subsist on, or quench their thirst, excepting rain water, sucked from a blanket, which they had providently preserved.

CAPTAIN JOHN BARRY.

Soon after the commencement of our revolutionary war, we find this officer engaged in the service, and manifesting, on all occasions, a zeal and intrepidity not to be surpassed. Early in 1776, he had a severe action with the British sloop Edward, which vessel he captured. In 1778, he was in the Delaware river, headed a gallant band, and with four small row-boats, attacked and vanquished a British schooner of ten guns, and four large transports, without losing a man. In 1781, we find him in the Alliance, of 32 guns. He sailed in February from Boston, for France, having on board Colonel Laurens, deputed to represent Congress at the Court of Versailles, upon special business. Having landed Colonel Luarens at L'Orient, he sailed thence on the 30th March, and on the 2d April, captured the Mars, of thirty-four guns, and the Minerva, of ten guns; and on the 28th May, after an action gallantly sustained on both sides, he captured the Atalanta, Captain Edwards, of twenty guns, and the brig Trepassey, Captain Smith, of fourteen guns. Each lost eleven in killed; in wounded Barry had twenty-one, the enemy thirty. In this action, Captain Barry was severely wounded in the shoulder.

In 1782, Captain Barry sailed from the Havanna, in company with the ship Luzerne, Captain Green, of twenty guns. Soon after, three British frigates were discovered in chase of

them. The Luzerne was directed to throw her guns overboard, to enable her to escape. A sail was then discovered on the weather bow, and proved to be a French fifty gun ship. Presuming that the French ship would support him, Captain Barry determined to bring on an action, and in a few minutes he engaged the nearest frigate; a severe contest ensued, and had continued nearly fifty minutes, when the British frigate, having most of her guns silenced, and being greatly damaged, made a signal of distress for her consorts to join her. During the action, they had been watching the movements of the French ship, which had kept aloof, under an impression that the Alliance had been taken. When Captain Barry again joined the French ship, they determined to engage the British frigates, and with that view gave chase to them; but soon abandoned it, finding the French ship a dull sailer, and unable to keep way with the Alliance.

It is said that the British frigate had thirty-seven killed and fifty wounded, in this action, and that Captain Barry's loss amounted to three killed and eleven wounded.

CAPTAIN JOHN PAUL JONES.

Mr. Jones was appointed by Congress, a first Lieutenant in the Continental Navy, 22d December, 1775. He accompanied Commodore Hopkins, in his expedition against New Providence, and was appointed, on his return from this expedition, to the command of the Providence, of twelve guns. In her he performed many essential services, in convoying troops from Rhode-Island to New-York, during which time he had several engagements, without losing any of the vessels placed under his charge. Cruising some time after near Bermuda, he fell in with the frigate Solebay, rating 28 guns, and had with her a close and vigorous action, which lasted several hours. Making his escape from a force so greatly superior to his, he proceeded towards Nova-Scotia, and near Cape Sable, he fell in with the Milford, of thirty-two guns. An action commenced, though at long shot, and Captain Jones escaped into a small harbour, where he destroyed several fishing vessels; thence he sailed for Isle Madame, where he destroyed the fishing establishments, and burned all the vessels he could not take away. He returned to Rhode-Island after a cruise of six weeks and five days, having taken sixteen prizes, exclusively of the vessels he destroyed.

It is said that Captain Jones, in the month of November, 1776, sailed in the Alfred, of 28 guns, for the purpose of destroying the fisheries at Isle Royale, and liberating a number of Americans confined there in coal mines. The Providence accompanied him. On the cruise he took a vessel from Liverpool, and the armed ship Melish, having on board a company

of soldiers, and 10,000 suits of uniform. On the 16th November, he captured a third vessel, and on the 18th the Providence parted company in the night. Captain Jones proceeded, however, to Isle Royale, and there destroyed a valuable transport, and burnt the buildings appropriated to the whale and cod fisheries. Near the Island he took another vessel laden with ling and furs, and the next day he captured a privateer mounting 16 guns. Returning to the United States, he again fell in with the Milford, from which vessel he and his prize fortunately escaped, and arrived at Boston, 10th December, 1776.

In the Ranger, of eighteen guns, to which vessel Captain Jones was, on the 14th June, 1777, appointed, he was sent with despatches to France; took two prizes on his voyage, and arrived 2d December, at Brest. Sailing thence, he attempted the destruction of a number of merchant vessels at Whitehaven, defended by a fort and battery; and with this view he proceeded with two boats, the one to set fire to the vessels, the other to take possession of the fort and battery; Jones took the fort and battery by assault,—spiked the cannon, thirty-six in number, and was about to burn the shipping on that side of the harbor, when he perceived that the other boat was returning after an unsuccessful attempt, to burn the vessels on the northern side of the harbor. By this time, the inhabitants had collected in such numbers as to compel the whole party to retire. He then made a descent on the Earl of Selkirk's estate, with a view to take his lordship prisoner. The earl was, however, in London. It is said that captain Jones, finding him absent, took the family plate, and retired, without offering any other violence to the castle or its inhabitants. Sailing thence, he fell in with the Drake sloop of war, and after a hot engagement of an hour, compelled her to strike her colors, her captain and lieutenant being mortally wounded. He returned to Brest with 200 prisoners, after an absence of twenty-eight days.

In 1779, (August 14,) captain Jones, in the Bonne Homme Richard, of forty guns, sailed from France, in company with the Alliance, thirty-six, captain Landais, the Pallas, thirty-two, captain Cotineau, the Vengeance, twelve, and the Cerf, of eighteen guns, a squadron fitted out, in order to intercept the Baltic fleet. Shortly after sailing, the Cerf parted company. Captain Jones was proceeding to Leith, with an intention of laying it under contribution, when a tempest arose, which drove his squadron out of the Forth. He then cruised along the coast, and occasioned so much alarm, that some of the inhabitants are said to have buried their valuable effects for fear of their falling into his hands. He entered the Humber, and in the port of Hull destroyed sixteen vessels.

Cruising in the latitude of Flamborough Head, 23d September, 1779, the Baltic fleet, convoyed by the Serapis, (forty-four,) Captain Pearson, and the Countess of Scarborough,

(twenty-two,) hove in sight. The merchant ships of this fleet took refuge under Scarborough Castle. The Serapis and Countess of Scarborough stood out to sea, and prepared for action. It was night before Captain Jones could come up with them. At half past 5, the two British ships of war formed a junction, so as to co-operate with each other. At 6 o'clock they tacked and stood in for shore. Captain Jones immediately changed his course six points, with the intention of cutting them off. The Pallas, perceiving this manœuvre, and supposing his crew had mutinied, hauled her wind, and stood out to sea. The Alliance lay to, at a considerable distance to windward. Hence the Bonne Homme Richard was left unaided by the other vessels of the squadron. About 7 o'clock in the evening, the action commenced, within pistol shot. The Bonne Homme Richard, of forty guns, on the one side, and the Serapis, of forty-four, and the Countess of Scarborough, of twenty-two guns, on the other; an odds of twenty-six guns against Captain Jones. The particulars of this action may be seen in Clark's Naval History, pages 104, 5, 6, 7, 8, and 9, and are well worth reading. From this history we learn, that Captain Jones, having bursted several of his guns, at the commencement of the action, and having received several shots between wind and water, determined to grapple with the Serapis, thereby to render her superiority in guns useless, and to prevent the Scarborough from firing. With great difficulty, however, he "succeeded in laying his ship athwart the enemy's hauser." "The mizen shrouds of the Richard striking the jib-boom of the Serapis, hung for some time; but it giving way, both ships dropped along side each other, head and stern. The flook of the Serapis's spare anchor hooking the Richard's quarter, both ships were so closely grappled fore and aft, that the muzzles of the guns touched each others' sides." While they remained in this situation, the Countess of Scarborough could not fire without doing probably equal injury to both ships.

In this situation the two ships engaged for some hours—

"Now here, now there, the tide of combat flows."

The doubtful contest was long maintained, with an apparent determination on both sides, never to surrender. Gun after gun was silenced and rendered unserviceable. Towards the close of the action, all the guns of the Richard excepting four on the forecastle, were silenced. The Serapis had been frequently in a blaze of fire, from combustibles thrown upon her decks. The flag staff of the Richard had been shot away, and the gunner, hearing that Jones and his first Lieutenant were both killed, called out for quarters. Captain Pearson demanding to know whether the Richard had struck, and receiving no answer, ordered his men to board; the attempt was made, but the party making it, was re-

pulsed with loss; again were the efforts on both sides renewed. About half past nine the Alliance came up, and poured several broadsides into the Serapis, "but they did nearly as much damage to the Richard:" captain Jones therefore ordered her to desist.

The mainmast of the Serapis was supported only by the yard of the Richard. Her fire "subsided by degrees and she could no longer bring a single gun to bear." "She struck about ½ past 10, at the same time her mainmast went by the board." Captain Jones took possession of her, and removed his crew on board; and shortly after the Richard sunk.

It is believed that an engagement, more sanguinary than this, never was fought. It is supposed that half the crew of the Serapis were killed and wounded, and it is quite probable that the Richard sustained a loss equally great.

In this action, Richard Dale, one of the lieutenants of the Bonne Homme Richard, was particularly distinguished. Although severely wounded, he maintained his station to the last, being at one time left alone at the guns below. No commander was ever more ably or faithfully seconded than was captain Jones, by this gallant officer, to whom a large share of the credit of the action justly attaches.

The King of England conferred upon captain Pearson the honor of knighthood;* and Congress by resolution of 27th February, 1781, declared that they entertained "a high sense of the distinguished bravery and military conduct of John Paul Jones, Esq. captain in the Navy of the United States, and particularly in his victory over the British ship of war Serapis, on the coast of England, which was attended with circumstances so brilliant, as to excite general applause and admiration." On captain Jones' arrival at Paris, he was presented with an elegant sword by the King of France, who also, with the concurrence of Congress, conferred on him the cross of the order of military merit.

"The Pallas, commanded by Capt. Cotineau, sometime after the commencement of the action between the Richard and Serapis, engaged the Countess of Scarborough. The action lasted two hours, when the Countess of Scarborough struck. She had all her braces, the greater part of her running rigging, her main and mizen topsail sheets shot away. Seven of her guns were dismounted, and four of her men killed, and twenty woun-

* When captain Pearson was about delivering up his sword to captain Jones, he observed, "I cannot, sir, but feel much mortification at the idea of surrendering my sword to a man who has fought me with a rope round his neck." Captain Jones received his sword, but immediately returned it, with the remark, "you have fought gallantly, sir, and I hope your King will give you a better ship."

When captain Jones was in Paris, some short time after the action, he was informed that captain Pearson had been knighted. Well, said he, "he deserved it; and if I fall in with him again, I will make a Lord of him."

ded. Captain Jones, with his squadron, arrived at the Texel, on the 4th October, 1779.

In October, 1780, he sailed in the Ariel, for America, and on his voyage he compelled the Triumph, of 20 guns, to strike to him; "but while he was about taking possession of her, she made sail and escaped."

On the 28th June, 1781, he was *unanimously* elected by Congress to command the America, of 74 guns, then on the stocks; and the agency of having her launched and speedily equipped for sea was given, by special resolution, to the honorable Robert Morris. She was, however, on the 3d September, 1782, presented to his most Christain majesty, in testimony of the sense entertained by Congress "of his generous exertions" in behalf of the United States, and to replace the Magnifique, of 74 guns, lost by accident, in the harbor of Boston.

CAPTAIN JAMES YOUNG.

In command of the Saratoga sloop of war, Captain Young, on the 8th October, 1780, captured the Charming Molly, of 22 guns; and on the 9th, he captured the brig Nancy, of 14, and the ship Elizabeth, of 28 guns, both having engaged him at the same time.

CAPTAIN DANIEL WATERS.

In January, 1776, Capt. Waters was appointed to the schooner Lee, of eight six pounders. While commanding her, he captured, or assisted in capturing, several valuable transports, in one of which was Colonel Campbell, with a part of the 71st British regiment; in another, a quantity of merchandise, which the British had plundered from the merchants of Boston, when they evacuated that city.

In command of the privateer Thorn, of 16 guns, of Boston, Captain Waters, in the year 1778, engaged the Governor Tryon, of 16 guns, captain Stebbins, and the Sir William Erskine, of 18 guns, captain Hamilton, each having a greater number of men than the Thorn. The action lasted for two hours, when the Tryon struck, and the Erskine made sail to escape. The Thorn pursued her, and having overhauled her, compelled her to strike. Captain Hamilton, and the other officers of the Erskine, were removed on board the Thorn, and the Erskine was ordered to follow her in pursuit of the Tryon, which vessel, however, escaped, owing to the darkness of the night, The next morning the Erskine was manned and ordered for Boston, leaving the Thorn about 60 men only. A few days after this, the Thorn fell in with the Sparlin, of eighteen guns, and ninety-seven men; and after a close action, of nearly an hour, the

Sparlin struck. The Thorn and her two prizes, arrived safe in Boston.

Captain Waters was appointed by Congress, a captain of the Navy, 15th March, 1777, upon the recommendation of General Washington, by whom he had been employed, and who wrote of him, in terms of high approbation.

CAPTAIN SAMUEL TUCKER.

This officer had been employed for some time, under the immediate direction of General Washington, and performed services which gained him the esteem of that illustrious man, who, in a letter to Congress, particularly recommended him for an appointment in the Navy; and Congress, accordingly, on the 15th March, 1777, appointed him a Captain in the Navy. In 1779, we find him in command of the Boston, and in company with the Deane, Captain Samuel Nicholson, making great havock among the British vessels of war and merchantmen. In August, they captured two privateers, of ten guns each; the ship Glencairn, of twenty guns, the Sandwich Packet, of sixteen guns, and the brigantine Venture, of two guns, and the Thorn, of eighteen guns. The Boston, captain Tucker, was in the port of Charleston, when that city was surrendered to the British, May 12th, 1780, and it is said that when captain Tucker was required to strike his flag, he replied, that in striking his flag to so superior a force, he derived some consolation from the reflection that he had, himself, compelled more flags to be struck to him, than were then flying in that harbor.

This gallant officer, now sinking under the weight of years, still retains the ardent feelings of his youth. In the late war, with a wood shallop, he captured a privateer which had been infesting the coast near his residence; on which occasion he displayed the gallantry and address for which his early manhood was distinguished.

Congress, by act of 2d March, 1821, placed his name on the roll of Navy Pensioners, and gave him $240 per annum, for life, commencing 1st January, 1818; declaring, in the same act, that he had, "by his bravery and long and faithful services, merited the gratitude of his country."

CAPTAIN SAMUEL NICHOLSON,

In the Deane, cruized in company with the Boston, captain Tucker, in 1779, and partook, equally, in the captures made. In 1782, in a short cruize of nine weeks, he captured a merchant ship, and three vessels of war, viz: the Jackall, of fourteen guns, the Swallow, of sixteen, and the Regulator, of eighteen.

CAPTAIN HOYSTED HACKER,

In command of the Providence, of ten guns, after a severe action of more than an hour, captured the Diligent of twelve guns, May, 1779.

CAPTAIN JOHN P. RATHBURNE,

In the sloop Providence, of twelve four pounders, and about fifty men, landed about 11 o'clock at night, of the 27th January, 1778, on the island of New Providence, with about half of his crew; and being joined by a few Americans, (about twenty,) who had recently escaped from British prison-ships, took possession of fort Nassau, with its cannon, ammunition, and three hundred stand of arms; and, at break of day, seized a sixteen gun ship and five prizes, then at anchor near the fort; proceeded thence to the governor's house, and demanded, and obtained, the keys of the Eastern fort—proceeded thither, spiked the cannon, removed the powder and small arms, and returned to fort Nassau, by 10 o'clock in the morning of the 28th. He kept possession of the Fort till the 29th; when, having spiked the guns and removed the small arms and ammunition on board the Providence, he, with his prizes, except two, which being of little value, were burnt, put to sea.

In 1779, we find captain Rathburne in command of the Queen of France, of twenty-eight guns. In July, he, with great address, captured several vessels out of a fleet of one hundred and fifty sail, convoyed by a ship of the line and several frigates and sloops of war. He was then acting under the immediate orders of captain Whipple, of the Providence, of thirty-two guns, and the Ranger, captain Simpson, of eighteen guns, was also in company. This little squadron succeeded in capturing eleven vessels; three of which, however, were recaptured; the value of the eight, which arrived safe in Boston, with their cargoes, has been estimated at a sum exceeding one million of dollars.

In other cruizes captain Rathburne was successful. His ship was, however, taken at Charleston, (S. C.) in the year 1780, when that city was surrendered to the British.

CAPTAIN SILAS TALBOT.

Congress, by resolution of 10th October, 1777, promoted Mr. Talbot to the rank of major in the army "in consideration of his merit and services, in a spirited attempt to set fire to one of the enemy's ships of war in North River, last year."

Again, on the 14th November, 1778, we find that Congress passed the following resolution:

"Resolved, that Congress have a high sense of the bravery and good conduct of Major Silas Talbot, of the state of Rhode Is-

land, and the officers and men under his command, in boarding and taking the armed schooner Pigot, of eight twelve pounders and forty-five men, in the east passage between Rhode Island and the main; and that he, as a reward of his merit, and for the encouragement of a spirit of enterprize, be presented with the commission of lieutenant colonel in the army of the United States."

Again, 17th September, 1779, Congress resolved, "that in consideration of the distinguished merit of lieutenant colonel Talbot, a commission of captain in the navy of the United States be given him; and that the Marine Committee be directed to provide a proper vessel for him as soon as possible."

It was not, however, we believe, in the power of the Committee to provide a vessel for captain Talbot—He would have done honor to such a command—He was distinguished for his bravery, and was as modest and unassuming as he was brave. From Heath's memoirs, page 251, we perceive, that the "privateer ship Washington, captain Talbot," is mentioned as coming down the river, &c. 23d. August, 1780. We presume that the Captain Talbot, alluded to by General Heath, was Captain Silas Talbot, and that although he could not be provided with a national vessel, he was in the service, as the commander of a privateer.

JEREMIAH O'BRIEN AND JOSEPH WHEATON.

On *Saturday*, 9th May, 1775, a vessel arrived in the lower harbour of *Machias*, with intelligence of the battle of Lexington. At that time, the British armed schooner Margaretta, and two sloops, [one of them was commanded by Job Haines, in the service of Mr. Ichabod Jones,] which had arrived from Boston, for the purpose of loading with lumber, for the British army, then in Boston, were lying at Machias. The commander of the vessel, which brought intelligence of the battle, was enjoined by those to whom he first communicated it, to be silent upon the subject, until the Monday following, as it was in contemplation to seize the schooner Margaretta, the battle of Lexington being considered the signal of war. The plan proposed, and agreed to, by a party of young men, was, to seize the officers of the Margaretta, while they should be in church, the following day. Accordingly, this party were, on the 10th, placed in a secret situation, watching the movements of the officers of the schooner. Seeing them all land, and enter the house of worship, detached a considerable distance from the other buildings, they *hastily* moved towards the church. Being discovered, the British officers jumped out of the windows, and made as rapidly as possible for their vessel, which, covering their embarkation, enabled them to effect their escape. Captain Moore, commander of the Margaretta, being thus apprised of the hostile in-

tentions of the inhabitants, put springs on his cables, laid the schooner's broadside to the town, and fired a number of shot over it, obviously without intending any injury, for none was sustained. Captain Moore had been some days at Machias; was very correct and gentlemanly in his manners; was much esteemed, and had been treated with great civility by the inhabitants. From what had happened, he deemed it prudent to drop down the river, as far as Scott's wharf, about four miles from the town. Having arrived there, a small party led by Mr. —— Foster, demanded the surrender of his schooner, and fired upon her, from a bank so high and near, that the fire could not be returned, with any effect from the battery of the schooner. Captain Moore continued down the river, till he reached the bay, formed by the confluence of East and West rivers, where he came to anchor, and remained all night.

On Monday morning, 11th May, two young men, viz: Joseph Wheaton, and Dennis O'Brien, happening to meet on the wharf, the former proposed to take the Margaretta. His plan was, first, to take possession of the lumber sloop, Captain Job Haines, then lying in the stream, haul her along side of the wharf, and beat up for volunteers. O'Brien instantly concurred in the proposition: two other young men, Peter Calbreth and —— Kraft, being at a little distance, were called, and the plan was stated to them; they also immediately joined; and these four went on board the sloop; forcibly took possession of her; brought her alongside the wharf; then sprang up the bank, took off their hats, and gave three cheers, which, drawing the attention of the people, a number immediately appeared; among others, Jeremiah O'Brien, to inquire what was going on. Wheaton disclosed the object of his party; pointed to the sloop which they had succeeded in gaining, and in which they proposed accomplishing their purpose. O'Brien, an athletic, gallant man, looking around him, and discovering the fearless, determined spirit of the whole party, raising his voice rather above its ordinary tone, observed, "my boys, we can do it."—Quick as thought every individual present volunteered, and proceeded to collect arms, powder, &c. Their whole equipment consisted of about sixty charges of powder, with sixty musket balls, or three charges, for twenty fowling pieces—thirteen pitchforks, ten or twelve narrow axes, a few pieces of salt pork, part of a bag of bread, and a barrel of water. The wind being fair, (a gentle breeze, from the north west,) they set sail. Their movements had been discovered by the Margaretta, and she weighed anchor, and set every sail, to avoid the sloop. Passing a very high bold point of land, the wind then quite fresh, the Margeretta jibed her mainsail, and carried away her boom. Under such sail, as she could make, she continued, till she reached Holmes' Bay, where she fell in with a vessel from Windsor, commanded by Robert Avery, and procured from him a boom. By this time the sloop in chase,

hove in sight. The Margaretta again made sail, and shaped her course for Boston, standing well off the land; the breeze continued to freshen; the sloop was far the better sailer, and soon overhauled her. The schooner cut away all three of her boats, and opened a heavy fire, which, however, did no other injury than that of killing a man, —— Neal, in the act of firing a wall piece; the same piece, was instantly seized, by —— Knight, who discharged it, with great effect, killing the man at the helm, and clearing the quarter deck of the Margarette. She instantly broached too, and the sloop was enabled to give her "a fair volley;" and the sloop's bowsprit, coming in contact with the main shrouds of the Margaretta, threw the two vessels into such a position as to afford a fair opportunity of giving a second volley: our party, however, were much annoyed, by two hand grenades, thrown by Captain Moore himself; and he was in the act of throwing a third, when he received two balls in his breast. The Margaretta was then boarded, carried, and taken to Machias.

The Margaretta's armament consisted of four, (some say ten,) six pounders, twenty swivels, two wall pieces, forty cutlasses, forty boarding pikes, forty boarding axes, two boxes of hand grenades, forty muskets, and ten pair of pistols, with an ample supply of powder and shot. Her crew, two commission officers, and thirty-eight warrant and petty officers and men—in all forty. The number on board the sloop was less than thirty. They had proceeded so precipitately on the expedition, that the necessity of having a commander had not occurred to any of the party, until they came in sight of the Margaretta, when Mr. Wheaton proposed Jeremiah O'Brien; and he was unanimously elected their chief.

With the armament of the Margaretta, Captain O'Brien fitted out a sloop, and called her Liberty; when the British schooner Diligence, Captain Knight, with the Tapnagouche, her consort, having arrived off Buck's harbor, the entrance to Machias, Captain O'Brien, with his party, determined to make an attempt upon them. They succeeded by boarding, took possession of the Diligence and Tapnagouche, and returned to Machias. The prisoners, thus taken, were conducted to Watertown, near Boston, where the Provincial Congress of Massachusetts was then in session, and where Captain O'Brien was appointed and commissioned a captain in the Provincial Navy. Returning immediately to Machias, he beat up for volunteers, manned the Liberty and the Diligence, and sailed for St. Johns, New-Brunswick, where he took, by surprise, Fort Howe, garrison, troops, guns, ammunition, &c. and a large brig loaded with hay, live-stock, and poultry, for the garrison at Boston. The whole of which was accomplished between the 11th May, and —— August, 1775.

The Margaretta was, it is believed, the first vessel captured during the revolutionary war; and to Mr. Joseph Wheaton, a

native of New-York, then residing at Machias, belongs the honor of having, in person, seized the first colors. The enterprize originated with him, then a high spirited lad of twenty years of age; and but for his modesty in naming Jeremiah O'Brien, he might himself, there is but little doubt, have been the commander of the expedition. The selection of O'Brien was, however, a fortunate one. He was a man of perfectly fair character, and in such high estimation that he commanded the unqualified confidence of the party. The result proved that he had nerve and muscle to spare. Five brothers, equally brave and enterprizing, accompanied him in these expeditions.

THOMAS TRUXTUN.

We find this gentleman employed in private armed vessels in the earliest periods of the revolution, and giving proof of that energy, enterprize, and intelligence, for which he subsequently became so distinguished. About the close of the year 1775, he was captured by the frigate Argo; but on all subsequent occasions, he was uniformly successful, and made a number of valuable captures.

In the year 1782, while in command of the private armed ship the St. James, of twenty guns, he was proceeding to France, with Mr. Thomas Barclay and family, when he encountered a ship of greatly superior force, thirty-two guns, fitted out at New-York, for the express purpose of capturing him. An engagement ensued, of the particulars of which we are not in possession; but all accounts concur in stating that it was severe, and maintained with great gallantry. Truxtun beat her off, and proceeded on his voyage. His antagonist returned to New-York "in a shattered condition." In this action, Captain Truxtun was ably supported by his officers, of whom Mr. William Jones, of Philadelphia, was one, and in whose favor we have heard Captain Truxtun speak in terms of high commendation, for his conduct in this action.*

JOHN FOSTER WILLIAMS.

Early in 1776, Mr. Williams was appointed a commander in the state service of Massachusetts. Our information places him in command of the sloop Republic, mounting twelve four

* A gentleman who was a passenger in the St. James, has favored us with the following anecdote, which happily illustrates the character of our tars. A ball from the enemy had struck the side of the St. James, and passed thence to her mainmast; its force had been so much impeded, that it only slightly wounded the mast. A fine forecastle man, named Jack Sutton, perceiving the ball the moment it struck the mast, seized it, ran with it to the gunner, and observed, "Here gunner, take this shot, write post paid upon it, and send it back to the rascals."

pounders, in which vessel he captured a fine armed merchant ship, richly laden, and carried her safe into Boston. In the year 1778, we find him in command of the brig Hazard, of fourteen four pounders, and two three pounders. In this vessel he had, in February, 1779, a close and vigorous action with the brig Active, mounting eighteen six pounders, six cohorns, and ten swivels. The action lasted between thirty and forty minutes, and resulted in the capture of the Active. The loss on the side of the enemy has been stated at thirty-three killed and wounded; that of Captain Williams, at eight only.

Soon after this, Captain Williams was appointed to command the Protector, a twenty gun ship, in the service of the state of Massachusetts; and in May, 1779, he sailed from Boston, on a cruise. In June following, he engaged the Admiral Duff, Captain Richard Strange, a letter of marque, supposed to be fully equal in guns and in men to the Protector. The action commenced by a broadside from the Protector; it was quickly returned, and continued yard arm to yard arm, for more than one hour, when the Duff was perceived to be on fire. Captain Williams immediately hauled off, but had scarcely disengaged his vessel, when the Admiral Duff blew up. By great exertions, Captain Williams succeeded in saving fifty-five of her crew. His own loss was trifling, amounting, it is said, to one only killed, and five wounded.

Returning home, with a crew reduced in number, and in a sickly state, he sustained a running fight with the frigate Thames, of thirty-two guns, and finally injured her so much that she sheered off.

ALEXANDER MURRAY

Commanded, during the revolution, several letters of marque, in which he was successful. In the Revenge, of eighteen guns, in defence of a fleet of merchant ships under his convoy, he, in the year 1780, engaged and beat off two British vessels of war, one mounting eighteen, the other sixteen guns, near the capes of the Chesapeake. The Revenge being much injured in her sails and rigging, Captain Murray, who had been wounded in the action, put back into port to repair. He received the thanks of the merchants of Baltimore, for the protection he had thus gallantly afforded to their property. Having repaired, he again proceeded to sea, and steered eastwardly; and after a smart action, he captured an armed letter of marque brig, near Newfoundland. Going thence to Europe, he was captured by a frigate. Being exchanged, he returned to the United States; was, (20th July, 1781,) appointed a lieutenant in the Navy, and in August volunteered his services on board the Trumbull, and was wounded in the action between that vessel and the overwhelming force by which, as has heretofore been stated, she was captured.

Having recovered from his wounds, and procured his exchange, he returned to Baltimore, and thence proceeded to Richmond, where he took command of a fine letter of marque, but very imperfectly armed, having only five six pounders, and a crew short of thirty men. Having taken in a cargo of tobacco, he set sail for St. Croix. In latitude 32 N. he encountered a privateer of fourteen guns, and one hundred men. A very warm action commenced; Murray having so few guns, was obliged to shift them from side to side. The enemy made, we have understood, three atttempts to board, but were uniformly repulsed with loss; and on seeing that Murray's vessel had only her mainmast and part of her bowsprit standing, a fourth attempt to board, but like the former, it proved unsuccessful. The action having lasted nearly two hours, the privateer sheered off. Captain Murray erected jury masts, and arrived safe at St. Thomas.

The very great superiority of force, both in guns and men, with which Captain Murray had to contend, on this occasion, proves that the action was maintained with great skill and intrepidity, on his part. His foe was obviously very determined, otherwise he would not have made a *fourth* attempt to board. That, (though possessing treble force to Captain Murray,) he should not have succeeded, is truly gratifying to the pride of Americans, and reflects distinguished honor upon the hero, who thus gallantly sustained the unequal conflict.

COMMODORE HAZLEWOOD

Was in the service of the state of Pennsylvania, and Congress, on the 17th October, 1777, expressed their high approbation of his brave and spirited conduct; and on the 4th November, passed the following resolution:

"*Resolved*, That Congress have a high sense of the merit of Commodore Hazlewood, commander of the naval force in Delaware river, in the service of the Commonwealth of Pennsylvania, and of the officers and men under his command, in their late gallant defence of their country, against the British fleet; whereby two of their men of war were destroyed, and four others compelled to retire; and, that an elegant sword be provided, by the Marine Committee, and presented to Commodore Hazlewood."

JOSHUA BARNEY,

In command of the Hyder Ally, of sixteen six pounders, and one hundred and ten men, captured, near the mouth of the Delaware Bay, [8th April, 1782,] the General Monk, of twenty nine pounders, and one hundred and thirty-six men, commanded by Captain Rogers. Two British vessels of war were

in sight, the frigate Quebec and the Fair American of sixteen guns. The Quebec was endeavoring to get round the shoals, called the Over-Falls, within a short distance of which the action took place. The Fair American was within the Delaware, in chase of a fleet of merchant vessels, under convoy of the Hyder Ally.

The General Monk bore down upon the Hyder Ally, and coming within hail, demanded of her to strike her colors; the demand being disregarded, Captain Rogers gave the order to fire into her. While the General Monk was coming up, Captain Barney issued the following orders to his officers and crew: "If I direct you to prepare for boarding, you are to understand me as meaning that you are to remain at your guns, and be ready to fire the moment the word shall be given. If, on the contrary, I order you to give him a broadside, you are to consider me as calling for the boarders, and to hold yourselves ready to board as soon as we can gain a proper position." Scarcely had Captain Rogers hailed and demanded the surrender of the Hyder Ally, when Barney, in a loud tone of voice, so as to be heard by the enemy, gave the order, "prepare to board." Hearing this, Captain Rogers ordered the greater part of his crew on deck, so as to be ready to repel the boarders. At that moment of time, the word was given, on board the Hyder Ally, and she poured in a fire among the group, which proved so destructive, that twenty were killed, and thirty-three wounded; among the latter, Captain Rogers, dangerously. The General Monk was instantly boarded, carried without resistance, and taken to Philadelphia. The Hyder Ally had four killed, and eleven wounded.

The force of the General Monk, compared to that of the Hyder Ally, was as one hundred and eighty to ninety-six. The victory is to be ascribed to Captain Barney's judicious orders, and to the alacrity and spirit with which they were executed. If he had not succeeded in deceiving Captain Rogers, as to his intentions, he probably could not long have contended successfully against such odds.

GUSTAVUS CONYNGHAM,

A native of Ireland, emigrated to the United Colonies about the year 1767; became an apprentice to Captain Henderson, then in the Antigua trade, and continued with him as sailor and mate, until, by Captain Henderson's death, he was promoted to the command of the vessel in which he had been serving, the Molly. Captain Conynham continued in the same trade until the commencement of our revolutionary war, when he went to Europe with Mr. Jonathan Nesbit, who obtained for him a commission for a privateer, from Dr. Franklin and Silas

Deane. Having received his commission, he proceeded to Dunkirk, where a vessel was purchased, and fitted out for a cruise in the British Channel. This was one of the first privateers that appeared in those seas under our flag. She was so successful in capturing British vessels, that the name of Conyngham became a terror in the Channel. He generally burnt or destroyed his prize vessels. In 1778, he was captured, and treated with such severity, that Congress, by resolution, (17th July, 1779,) directed their Secretary to write, in their name, to the admiral, or commanding officer of the British fleet, lying in the harbour of New-York, to demand the reasons of his being treated "in a manner contrary to the dictates of humanity, and the practice of Christian civilized nations;" and they directed, in the event of a satisfactory answer not being given, that the Marine Committee should "immediately cause to be confined, in close and safe custody, such and so many persons as they may think proper, in order to abide the fate of the said Gustavus Conyngham." On the 13th December following, Congress refused to allow Christopher Hele, then a prisoner, to be exchanged, or to go upon his parole, declaring, by resolution, that he must abide the fate of Captain Conyngham.

After Captain Conyngham was captured, a print was exhibited in London, as his exact likeness, and thousands flocked to see it. This print represented him as a man of gigantic stature, with shoulders of extraordinary breadth, and his whole person indicating great strength, with a countenance ferocious in the extreme, holding in his right arm a drawn sword, at least six feet in length. Underneath the print was painted, in large letters, "THE ARCH REBEL." Admirable likeness!—Conyngham was short, very slender, and his visage remarkably thin, but he was very active and full of spirit. His health suffered greatly during his confinement, of which he complained until his death.

We have selected these instances of gallantry and enterprize, in our privateers during the revolutionary war, without any intention of conveying the idea that they are entitled to more distinction than many other cases which occurred. They may, however, be justly considered as fair specimens of the heroism of the day, displayed, with but few exceptions, by every officer in command of privateers, as well as those in command of continental and colonial vessels. The names of Geddes, Lawler, Haraden, Mugford, Eda, Bonner, Hallet, Gray, Cook, and a host of other hardy sons of Neptune, are held in grateful recollection. They all fought in the good cause, and their descendants may claim, without presumption, the honor of having sprung from men, who put life and property at hazard in defence of liberty.

The difficulty of collecting well authenticated incidents, after a lapse of more than forty years, will readily be acknowledged by

our readers. We have, therefore, been compelled to notice, in a very brief manner, events which at the time of their occurrence, excited the strongest bursts of enthusiasm, and covered the actors therein with the grateful applause of their country. We, however, reserve to ourselves the privilege of introducing, in another volume of this work, any incidents which may hereafter come to our knowledge, relating to the naval affairs of our revolutionary struggle, which it is to be regretted are so much involved in obscurity, owing to the little pains taken, at that time, to record and preserve them; the whole attention of the nation being given to the mighty stake, for which it was contending, and which swallowed up every other concern, making even individual glory, in which self approbation is so much interested, appear but as a minor consideration.

Until some time after the United States formed a treaty of alliance with France, (Feb. 1778,) Great Britain possessed peculiar advantages over us, in having a powerful fleet, by which her armies were safely transported from one place to another, with a celerity which baffled our best exertions, and a secrecy, as to the points of destination, which defied all human calculation. Possessing this facility, we find her moving from Boston to Halifax, from Halifax to New York, from New York to the Chesapeake, thence to such other positions as best suited the views of her generals; and had she have continued to possess it, she might, to this day, have continued the war. This was well known to the sages of the day, some of the most virtuous of whom seem to have considered that the issue of the contest essentially depended upon our forming a treaty of alliance with France, since that nation alone could wrest from the foe, or disturb him in the possession of so great an advantage over us.

Soon after the arrival of a French fleet on our coast, we find the state of war essentially changed. We probably hazard nothing in saying, that the evacuation of Philadelphia, (June 18, 1778,) by the British, was occasioned by the fact of its having been known that such a fleet was on its way to the United States. The Delaware, in our possession, the British could not have held Philadelphia. Knowing this, and calculating upon the probability of the French fleet making for the Delaware, General Howe evacuated Philadelphia. Had he have postponed this measure, for a very few weeks, or if Count D'Estaign's passage across the Atlantic had not been protracted to so unusual a length,* in all probability both the British army in Philadelphia, and the British fleet, then in the Delaware, which although considerable, was greatly inferior in force to Count D'Estaign's, would have been captured.

If the action between Count De Grasse and Admiral Graves, off the capes of the Chesapeake, 5th September, 1781, had

* He sailed from Toulon, 13th April, 1778, and did not arrive in the Delaware till 8th July, following.

have resulted decisively in favor of the latter, instead of being, as it was, a drawn battle, it is more than probable that Lord Cornwallis' army would not have been captured at Little York. If, when Admiral Graves again appeared off the capes of the Chesapeake, Count De Grasse had not been reinforced, by the timely arrival of De Barras, which gave him a decided superiority, and enabled him to retain possession of the Chesapeake, then the fate of Cornwallis' army would probably have depended upon the result of an action, which it was the intention of Admiral Graves to have renewed.

Although in the earlier periods of our revolutionary war, we experienced great embarrassments, for want of an efficient Marine force, still much was done by the vessels of war we then possessed. and by privaters, whose energy, enterprize, and success, were astonishingly great, considering the overwhelming force by which they were opposed. The number of captures, in the course of the war, has been stated at eight hundred and three; of which there were either retaken, burnt, ransomed, sunk, restored or lost, one hundred and fifty three; leaving a gain to the nation, of 650. If we estimate these, as averaging two hundred and fifty tons, and compute their value at thirty dollars per ton, and their cargoes at ten thousand dollars each, the amount of captures would be eleven millions three hundred and seventy-five thousand dollars. Some English authors have estimated the value of the prizes taken in the year 1776, by the American cruisers, at one million sterling. That our vessels captured property worth millions of dollars, is unquestionably true; but it appears to us impossible to form any precise estimate as to their value.

Among the facts adduced, to show the havoc made by the armed vessels of the United States, during the revolutionary war, the following are selected:

Mr. Clarke, in his naval history, [volume 1, page 61,] on the authority of the "Remembrancer," [volume 5, page 76, 169, 171, and 199,] states that "the number of English vessels employed in the West India trade, captured by American cruisers, amounted on the 1st February, 1777, to two hundred and fifty sail: value of their cargoes, about ten millions of dollars. In the course of one week fourteen English vessels were carried into Martinique. So overstocked was the market of this island, by these privateers, that English silk stockings, which had usually sold for two or three dollars, were disposed of for *one* dollar. Sailors went from door to door, offering their prize goods for sale; nor could they dispose of Irish linens for more than *two dollars per piece.* Other goods sold in proportion. *Of a fleet of sixty vessels, from Ireland, for the West Indies, thirty-five were captured by American privateers!*" Again, on the authority of Gordon, [volume 2, page 169,] previous to the

war, the English employed two hundred ships in the African trade; the cargo of each was valued at forty thousand dollars, making together eight millions of dollars. At the close of the year 1777, only forty vessels remained in this trade; so that this branch of British commerce was diminished, from eight millions to one million six hundred thousand dollars.

The fact of the linen merchants having petitioned for convoy, between Newry and Dublin, and Dublin and England, which is confidently stated on respectable authority, is another proof of the activity and enterprize of our cruisers. It has also been said, that the merchants of England found it their interest to employ foreign vessels, in the transportation of their goods to the continent of Europe, arising from the risks of capture attending their own vessels, and the high rate of insurance consequent thereon.

Of the ships of the line, authorized, during the revolutionary war, only one, the America, was built; and she, as has heretofore been stated, was presented, [3d September, 1782,] to his most Christian Majesty, in testimony of the sense entertained by Congress, of his generous exertions in behalf of the United States; and to replace, in his service, the Magnifique, which, by accident, was lost in the harbour of Boston; of the other ships, built and purchased during the revolutionary war, the whole were either captured or destroyed by the enemy, or sold by the United States. We find, [April 21st, 1783,] that the ship Duc de Lauzun, was loaned to the minister of France, for the transportation of troops from the United States, and that after performing this service, she was to be sold. The Alliance was ordered, [September 5, 1783,] to be surveyed, with a view to her being repaired; but on the 3d June, 1785, she was ordered to be sold; and when she was sold, the United States did not, it is believed, own a single vessel of war.

The "Agent of Marine," to whom was referred a resolution of the House of Delegates, of the State of Virginia, of the 26th June, 1783, reported [August 5th, 1783,]—

"That, although it is an object highly desirable, to establish a *respectable marine*, yet, the situation of the public treasury, renders it not adviseable to purchase ships *for the present*, nor until the several states shall grant such funds, for the construction of ships, *docks*, and *naval arsenals*, and for the support of the naval service, as shall enable the United States to establish their marine upon a *permanent* and *respectable footing*."—In this report Congress concurred.

Upon the application of the Delegates of Virginia, Congress, by resolution, [3d October, 1783,] authorized that state to keep, at its own expense, two armed vessels, "for the defence of the trade of that state," confining the force of each to fourteen six-pounders, and seventy-five men.

CAAPTER II.

President Washington's messsage, (30th Dec. 1790,) with the Secretary of State's report, as to the situation of captives in Algiers—Probable cost of redemption—Mathurin Agency—Prisoners at Algiers, July 9, 1790—President's message, with Secretary of State's report, as to our affairs with Morrocco and Algiers—Queries to the Senate, by President Washington, as to our affairs with Algiers—Resolutions of Senate thereon—Truce between Portugal and Algiers—Algerine fleet out—Capture a number of our vessels—Algerine force—Consul O'Brien recommends the equipment of thirty frigates—Colonel Humphreys advises a naval force—Memorial of captives—List of vessels captured—Number of prisoners—Six frigates authorized—General view of the arguments for and against authorizing ships of war—Where ordered to be built—Appointment of Captains, constructors and agents—Peace with Morocco—Peace with Algiers signed—State of the six frigates, 15th December, 1798—Three of them discontinued—Policy thereof questioned—President Washington recommends a naval force—Report of Secretary of State—Affairs with Algiers—Peace preserved by a present of a frigate—Cost of treaty with Algiers.

The United States had but recently achieved their independence, and assumed a rank among the nations of the earth—They were still greatly embarrassed with the expenses of a long, bloody, yet glorious war; when the Dey of Algiers, tempted by a spirit of cupidity, seized some of their merchant vessels, and conducted their crews to slavery. This perfidious conduct produced the strongest indignation; but it was not in the power of the nation to avenge the insult, as promptly as the feelings it excited, or as sound national policy dictated. Negotiation was, of necessity, resorted to, but such were the difficulties which the policy of the Dey interposed, and such was our feeble condition, with respect to arms, that years elapsed before any favorable result was produced.

In this state of things, we find the origin of the act of Congres, of 27th March, 1794, authorizing six frigates to be provided—which, however, were to be suspended in the event of peace with Algiers.

The following official documents show the measures resorted to, for the liberation of our captive citizens, the cost of the treaty with Algiers, and other information, deemed essential

to a perfect understanding of the subject—so far, at least, as the policy of providing a Navy, is, in any degree, concerned.

MESSAGE FROM THE PRESIDENT TO CONGRESS,

DECEMBER 30, 1790.

I lay before you a report of the Secretary of State, on the subject of the citizens of the United States, in captivity at Algiers, that you may provide, on their behalf, what to you shall seem most expedient.

GEORGE WASHINGTON.

The Secretary of State having had under consideration the situation of the citizens of the United States, in captivity at Algiers, makes the following report thereupon, to the President of the United States.

"When the House of Representatives, at their last session, were pleased to refer to the Secretary of State, the petition of our citizens in captivity at Algiers, there still existed some expectation that certain measures which had been employed to effect their redemption, the success of which depended on their secrecy, might prove effectual. Information received since the recess of Congress, has so far weakened those expectations, as to make it now a duty to lay before the President of the United States, a full statement of what has been attempted for the relief of these, our suffering citizens, as well before, as since he came into office, that he may be enabled to decide what further is to be done.

"On the 25th July, 1785, the schooner Maria, Captain Stevens, belonging to a Mr. Foster, of Boston, was taken off cape St. Vincents, by an Algerine corsair; and five days afterwards, the ship Dauphin, Captain O'Brien, belonging to Messrs. Irvins, of Philadelphia, was taken by another Algerine, about fifty leagues westward of Lisbon. These vessels, with their cargoes and crews, twenty-one persons in number, were carried into Algiers.

"Congress had some time before, commissioned ministers plenipotentiary for entering into treaties of amity and commerce with the Barbary Powers, and to send to them proper agents for preparing such treaties. An agent was, accordingly, appointed for Algiers, and his instructions prepared, when the ministers plenipotentiary received information of these captures. Though the ransom of captives was not among the objects expressed in their commissions, because, at their dates, the case did not exist, yet they thought it their duty to undertake that ransom, fearing that the captives might be sold and dispersed through the interior and distant countries of Africa, if the previous orders of Congress should be waited for. They, therefore, added a supplementary instruction to the agent to

negotiate their ransom. But while acting thus, without authority, they thought themselves bound to offer a price so moderate as not to be disapproved. They therefore restrained him to two hundred dollars a man; which was something less than had been just before paid for about three hundred French captives, by the Mathurins, a religious order of France, instituted in ancient times, for the redemption of Christian captives from the Infidel Powers. On the arrival of the agent at Algiers, the Dey demanded fifty-nine thousand, four hundred and ninety-six dollars for twenty-one captives, and could not be brought to abate but little from that demand. The agent, therefore, returned in 1786, without having effected either peace or ransom.

"In the beginning of the next year, 1787, the minister plenipotentiary of the United States, at Paris, procured an interview with the general of the religious order of Mathurins, before mentioned, to engage him to lend his agency, at the expense of the United States, for the redemption of their captive citizens. He proffered, at once, all the services he could render, with the liberality and the zeal which distinguish his character. He observed, that he had agents on the spot, constantly employed in seeking out and redeeming the captives of their own country; that these should act for us, as for themselves; that nothing could be accepted for their agency; and that he would only expect that the price of redemption should be ready on our part, so as to cover the engagement, into which he should enter. He added, that by the time all expenses were paid, their last redemption had amounted to near two thousand five hundred livres a man, and that he could, by no means, flatter us that they could redeem our captives as cheap as their own. The pirates would take advantage of its being out of their ordinary line. Still, he was in hopes that they would not be much higher.

"The proposition was then submitted to Congress, that is to say, in February, 1787; and, on the 19th September, in the same year, their minister plenipotentiary at Paris, received their orders to embrace the offers of the Mathurins. This he immediately notified to the general, observing, however, that he did not desire him to enter into any engagements till a sufficient sum to cover them should be actually deposited in Paris. The general wished that the whole might be kept rigorously secret, as, should the Barbarians suspect him to be acting for the United States, they would demand such sums as he could never agree to give, even with our consent, because it would injure his future purchases from them. He said he had information from his agent at Algiers, that our captives received so liberal a daily allowance as to evince that it came from a public source. He recommended that this should be discontinued; engaging that he would have an allowance administered to them, much short indeed of what they had hitherto received,

but such as was given to his own countrymen, quite sufficient for physical necessities, and more likely to prepare the opinion, that as they were subsisted by his charity, they were to be redemed by it also. These ideas, suggested to him by the danger of raising his market, were approved by the minister plenipotentiary; because, this being the first instance of a redemption by the United States, it would form a precedent, because a high price given by us, might induce these pirates to abandon all other nations in pursuit of Americans; whereas, the contrary would take place, could our price of redemption be fixed at the lowest point.

"To destroy, therefore, every expectation of a redemption by the United States, the bills of the Spanish consul at Algiers, who had made the kind advances before spoken of, for the sustenance of our captives, were not answered. On the contrary, a hint was given that these advances had better be discontinued, as it was not known that they would be reimbursed. It was necessary even to go further, and to suffer the captives themselves and their friends to believe, for a while, that no attention was paid to them, no notice taken of their letters. They are still under this impression. It would have been unsafe to trust them with a secret, the disclosure of which might forever prevent their redemption, by raising the demands of the captors to sums, which a due regard for our seamen, still in freedom, would forbid us to give. This was the most trying of all circumstances, and drew from them the most afflicting reproaches.

"It was a twelvemonth afterwards before the money could be deposited in Paris, and the negotiation be actually put into train. In the mean time, the general had received information from Algiers of a very considerable change of prices there. Within the last two or three years the Spaniards, the Neapolitans, and the Russians, had redeemed, at exhorbitant sums. Slaves were become scarce, and would hardly be sold at any price. Still, he entered on the business, with an assurance of doing the best in his power; and he was authorized to offer as far as three thousand livres, or five hundred and fifty dollars a man. He wrote immediately to consult a confidential agent, at Marseilles, on the best mode of carrying this business into effect, from whom he received the answer hereto annexed:

"Nothing further was known of his progress or prospects, when, the House of Representatives, were pleased, at their last session, to refer the petition of our captives, at Algiers, to the Secretary of State.

"The preceding narrative shows, that no report could have been made, without risking the object, of which some hopes were still entertained. Later advices, however, from the charge des affaires of the United States, at Paris, inform us that these measures, though not yet desperate, are not to be counted on.

Besides the exorbitance of price, before feared, the late transfer of the lands and revenues of the clergy in France, to the public, by withdrawing the means, seems to have suspended the proceedings of the Mathurins, in the purposes of their institution.

"It is time, therefore, to look about for something more promising, without relinquishing, in the mean while, the chance of success through them. Endeavors to collect information, which have been continued a considerable time, as to the ransoms which probably would be demanded from us, and those actually paid by other nations, enable the Secretary of State to lay before the President the following short view, collected from original papers, now in his possession, or from information delivered to him personally. Passing over the ransoms of the Mathurins, which are kept far below the common level, by special circumstances.

"In 1786, the Dey of Algiers demanded from our agent $ 59,496 for twenty-one captives, which was $ 2,833 a man. The agent flattered himself they could be ransomed for $1200 a piece. His secretary informed us, at the same time, that Spain had paid $ 1,600.

"In 1787, the Russians redeemed at $1,546 a man. In 1788, a well informed inhabitant of Algiers assured the minister plenipotentiary of the United States, at Paris, that no nation had redeemed, since the Spanish treaty, at less than from 250 to 300 pounds sterling, the medium of which is $1,237. Captain O'Brien, at the same date, thinks we must pay $1,800, and mentions a Savoy captain, just redeemed at $ 4,074.

"In 1789, Mr. Logie, the English consul at Algiers, informed a person who wished to ransom one of our common sailors, that he would cost from 450 to 500 pounds sterling, the mean of which is $ 2,137. In December, of the same year, captain O'Brien thinks our men will now cost $2,920 each, though a Jew merchant believes he could get them for $ 2,264.

"In 1790, July 9th, a Mr. Simpson, of Gibraltar, who, at some particular request, had taken pains to find for what sum our captives could be redeemed, finds that the fourteen will cost $ 34,792 28 cents, which is $2,485 a man. At the same date, one of them, a Scotch boy, a common mariner, was actually redeemed at 8,000 livres, equal to $ 1,481, which is within nineteen dollars of the price Simpson states for common men; and the charge des affaires at Paris is informed, that the whole may be redeemed at that rate, adding fifty per cent. on the captains, which would bring it to $1,571 a man. It is found, then, that the prices are, 1,200, 1,237, 1,481, 1,546, 1,600, 2,137, 2,264, 2,485, 2,833, and 2,920 dollars a man, not noticing that of $4,074, because it was for a captain.

"In 1786, there were 2,200 captives in Algiers, which, in 1789, had been reduced, by death, or ransom, to 655. Of ours, six have died, and one has been ransomed by his friends.

"From these facts and opinions, some conjecture may be formed, of the terms on which the liberty of our citizens may be obtained.

"But, should it be thought better to repress force, by force, another expedient for their liberation may perhaps offer. Captures made on the enemy, may perhaps put us in possession of some of their mariners, and exchange be substituted for ransom. It is not indeed a fixed usage with them to exchange prisoners. It is rather their custom to refuse it. However, such exchanges are sometimes effected, by allowing them more or less of advantage. They have sometimes accepted of two Moors for a Christian; at others, they have refused five or six for one. Perhaps Turkish captives may be objects of greater partiality with them, as their government is entirely in the hands of the Turks, who are treated, in every instance, as a superior order of beings. Exchange, too, will be more practicable, in our case, as our captives have not been sold to private individuals, but are retained in the hands of the government.

"The liberation of our citizens, has an intimate connection with the liberation of our commerce in the Mediterranean, now under the consideration of Congress. The distresses of both proceed from the same cause, and the measures which shall be adopted for the relief of the one, may, very probably, involve the relief of the other.

THOMAS JEFFERSON,

Secretary of State."

December 28, 1790.

Extract of a letter from Mr. John Lamb, May 20, 1786.

"I here give your excellency an account of the prices of our unfortunate people, and it is as follows, viz:

3 Captains,	6,000	dollars.	each per head,	18,000
2 Mates,	4,000	do.	do.	8,000
2 Passengers,	4,000	do.	do.	8,000
14 Sailors,	1,400	do.	do.	19,600
21	amounts to the enormous sum of			$53,600
Eleven per cent. to be added, according to custom,				5,896
Is Spanish milled dollars,				59,496.

Answer of the agent of Mathurins, to his General—Aix, Aug. 19, 1789.

My Lord.—"Being at Aix, for some time, in order to make use of the baths, I there received the letter, which you did me

the honor to write me. I find some great difficulties in the way of executing the redemption about which you speak. It does not appear to me possible, to give such color to our proceedings, with the Algerines, as to make them believe that the United States take no part in the negotiation, while their subjects only should be redeemed. As to the price of two thousand five hundred livres per head, it will not suffice, for the voracity of these covetous people, either because they have more need of slaves than money, since the general redemption of the French and Spanish captives, or that having humiliated Spain, and fearing little from France, they have arbitrarily raised the rate of slaves; and notwithstanding the tenor of the treaties with France, the office at Marseilles, was, the last year, obliged to pay, for one slave, four thousand livres. It is true, that the number redeemed by France, in 1785, did not amount to one hundred louis per head, but the king made the agreement, in his own name; and, in a favorable moment, he obtained a piece of politeness from the Dey; a politeness which we cannot flatter ourselves with seeing again renewed, especially at a time when the regency carries its pretensions so highly against France, as to lead us to fear lest some rupture should follow, which can perhaps be avoided only by new sacrifices. Supposing these difficulties removed, you cannot take upon yourselves the said redemption, without a permission from the court, especially if you wish to appear as acting by virtue of the order for the redemption. I am persuaded that the ministry being first informed, will not refuse you the said permission.

"It will then be necessary to have a confidential person, on the spot, to act secretly, so as not to irritate the French slaves, who might rise against the nation, and sound the intentions of the regency, with respect to the price. The Pere Terrillo, governor of the hospital, is a Spaniard, and unfit for this negotiation. M. Paret, the only French merchant and manager of the house of Messrs. Gimen at Algiers, might execute the commission, but this house will always create a suspicion, that the United States are about agreeing for the redemption.

"I hardly venture to propose an idea, which strikes me, but it is the best I have. Could you not send a religious person, not as a redemptioner, but only as chaplain of the hospital of slaves, for which he might perform the necessary functions, M. Gache appears to me the most proper and the best calculated, to conduct an affair, the success of which I so much desire, as well on account of the interest you take in it, as for the satisfaction of Mr. Jefferson. I would not wish to put myself in the way, on account of my age, though I speak Italian and Spanish, which is used at Algiers, and especially in the hospital. However, if you should not find a better person, I shall still undertake this voyage, in order to give you some marks of my submission, and the desire which I have to concur in your zeal, for the love of redemption, and good of humanity.

"The voyage of a religious person would occasion some expense, but it cannot be considerable, because he might lodge in the hospital, and there would be no commission fees to pay in case of success. Not being near enough to confer with M. Gache, I address the present to him, that he may transmit it to you, with the observations he may make upon it.

"PERRINE, Dep. Gen."

Extract of a letter from William Short, Esq. Charge des Affaires for the United States, at the Court of France, to the Secretary of State, June 25th, 1790.

"Since my last, I have seen the general of the Mathurins, who gives little hopes of any thing being done for our captives, through his channel, although he continues assurances of his zeal, in case of any opportunity presenting itself; and I am persuaded he may be counted on as to these assurances. He had begun, by transmitting a small sum of money to a person of confidence at Algiers, to relieve the more pressing necessities of the captives. The person who was charged with this commission, found, on inquiry, that the captives received a daily allowance, which rendered this relief unnecessary, and therefore returned the money. He found, also, that the opinion at Algiers was, that the allowance of prisoners was made by the United States; an opinion which would necessarily augment the difficulty of their redemption. The general added, that the critical situation in which the religious orders had been for some time, had rendered it impossible for him to take any step in this business; that he hoped, however, some arrangement would be soon made, which would enable him to resume those pious occupations; and that he should be always ready to offer his ministry in behalf of the American captives. The supplies which they have received, came certainly from the Spanish consul's. I transmitted, some time ago, to Mr. Jay, an account of them, which was sent me by one of the captives."

Extract of a letter from the same to the same, July 7, 1790.

"I omitted mentioning above, that the number of our prisoners at Algiers is now reduced to fourteen; a Scotch boy, who was among them, having been redeemed, by the intervention of the English consul. The price was somewhat more than 7000 livres; but additional and unavoidable expenses, raised it, on the whole, to about 8000 livres."

American Prisoners at Algiers, July 9, 1790.

Richard O'Brien, Captain,	Crew of the ship Dolphin, captured July 30, 1785.
Andrew Montgomery, Mate,	
Jacob Tessanior, French passenger,	
William Paterson, Seaman,	
Philip Sloan,	
Peleg Lorin,	
John Robertson,	
James Hall.	
Isaac Stephens, Captain,	Crew of the schooner Mary, taken July 25, 1785.
Alexander Forsyth, Mate,	
James L. Cathcart, Seaman,	
George Smith,	
John Gregory,	
James Hermet,	

Message from the President of the United States to Congress, relative to Morocco and Algiers, December 16th, 1793.

"I lay before you a report of the Secretary of State, on the measures which have been taken, on behalf of the United States, for the purpose of obtaining a recognition of our treaty with Morocco, and for the ransom of our citizens, and establishment of peace with Algiers. While it is proper our citizens should know that subjects which so much concern their interests and their feelings, have duly engaged the attention of their legislature and executive, it would still be improper, that some particulars of this communication should be made known. The confidential conversation, stated in one of the last letters, sent herewith, is one of these.

"Both justice and policy require, that the source of that information should remain secret; for a knowledge of the sums meant to have been given for peace and ransom, might have a disadvantageous influence on future proceedings, for the same objects. GEORGE WASHINGTON."

"The Secretary of State, having duly examined into the papers and documents of his office, relative to the negotiations proposed to be undertaken with the governments of Morocco and Algiers, makes, thereupon, to the President of the United States, the following report:

"The reports which he made, on the 28th of December, 1790, on the trade of the United States, in the Mediterranean, to the House of Representatives, and on the situation of their citizens in captivity at Algiers, to the President, having detailed the transactions of the United States with the governments of

Morocco and Algiers, from the close of the late war to that date, he begs leave to refer to them for the state of things existing at that time."

"On the 3d of March, 1791, the legislature passed an act, appropriating the sum of 20,000 dollars, to the purpose of effecting a recognition of the treaty of the United States, with the new Emperor of Morocco. In consequence whereof, Thomas Barclay, formerly Consul General for the United States, was appointed to obtain a recognition of the treaty; and, on the 13th of May, in the same year, the following letter was written to him:

To Thomas Barclay, Esq. Philadelphia, May 13th, 1791.

(EXTRACT.)

"Sir,—You are appointed by the President of the United States to go to the court of Morocco, for the purpose of obtaining from the new Emperor, a recognition of our treaty with his father. As it is thought best that you should go in some definite character, that of Consul has been adopted, and you, consequently, receive a commission, as Consul for the United States, in the dominions of the Emperor of Morocco; which, having been issued during the recess of the Senate, will, of course, expire at the end of their next session. It has been thought best, however, not to insert this limitation, in the commission, as being unnecessary, and it might perhaps embarrass. Before the end of the next session of the Senate, it is expected the objects of your mission will be accomplished.

"Lisbon being the most convenient port of correspondence, between us and Morocco, sufficient authority will be given to Colonel Humphreys, resident minister for the United States at that place, over funds in Amsterdam, for the objects of your mission. On him, therefore, you will draw, for the sums herein allowed, or such parts of them, as shall be necessary. To that port, too, you had better proceed in the first vessel which shall be going there, as it is expected you will get a ready passage from thence to Morocco. On your arrival in Morocco, sound your ground, and know how things stand at present. Your former voyage there, having put you in possession of the characters, through whom this may be done, who may best be used for approaching the Emperor, and effecting your purpose, you are left to use your own knowledge to the best advantage," &c. &c.

"On Mr. Barclay's arrival in Europe, he learned that the dominions of Morocco, were involved in a general civil war; the subject of which, was the succession to the throne, then in dispute, between several of the sons of the late Emperor; nor had any one of them such a preponderance as to ground a presumption that a recognition of the Treaty, by him, would ultimately be effectual. Mr. Barclay, therefore, took measures,

for obtaining constant intelligence from that country, and in the mean time, remained at Lisbon, Cadiz, or Gibraltar, that he might be in readiness to take advantage of the first moments of the undisputed establishment, of any one of the brothers on the throne, to effect the objects of his mission.

"Though not enabled at that time to proceed to the redemption of our captive citizens, at Algiers, yet we endeavoured to alleviate their distresses, by confiding to Colonel Humphreys the care of furnishing them a comfortable sustenance."

On the 8th May, 1792, the President proposed to the Senate the following questions:

"If the President of the United States, should conclude a convention, or treaty, with the government of Algiers, for the ransom of the thirteen Americans, in captivity there, for a sum not exceeding forty thousand dollars, all expenses included, will the Senate approve the same? Or, is there any, and what greater or less sum, which they would fix on, as the limit beyond which they would not approve the ransom?"

"If the President should conclude a treaty with the government of Algiers, for the establishment of peace with them, at an expense, not exceeding twenty-five thousand dollars, paid at the signature, and a like sum to be paid annually afterwards, during the continuance of the treaty, would the Senate approve the same? Or, are there any greater or less sums, which they would fix on, as the limits beyond which they would not approve of such treaty?"

"GEORGE WASHINGTON."

These questions were answered by the following resolutions of the Senate:

IN SENATE, May 8, 1792.

"*Resolved*, That if the President of the United States, shall conclude a treaty with the Government of Algiers, for the establishment of a peace with them, at an expense not exceeding forty thousand dollars, paid at the signature, and a sum not exceeding twenty-five thousand dollars, to be paid aunually afterwards, during the continuance of the treaty, the Senate will approve the same. And in case such treaty be concluded, and the President of the United States shall also conclude a convention, or treaty, with the government of Algiers, for the ransom of the thirteen American prisoners, in captivity there, for a sum not exceeding forty thousand dollars, all expenses included, the Senate will also approve such convention, or treaty."

Attest, SAMUEL A. OTIS, Secretary."

"In order to enable the President to effect the objects of this resolution, the legislature, by their act of May 8, 1792, appropriated a sum of fifty thousand dollars, to defray any expense which might be incurred, in relation to the intercourse between the United States and foreign nations.

"Commissions were hereupon made out to Admiral J. P. Jones, for the objects of peace and ransom, and a third to be consul for the United States, at Algiers; and his instructions were conveyed in a letter, from the Secretary of State, bearing date June 1st, 1792.

"Mr. Pinkney, then going out as our Minister Plenipotentiary to the court of London, it was thought best to confide the letter to him: to make him the channel of communication; and also to authorize him, if any circumstances should deprive us of the services of Admiral J. P. Jones, to commit the business to Mr. Barclay, who it was hoped, would by this time, be completing the object of his mission to Morocco. The letter was therefore delivered to him, with one addressed to himself, and another to Mr. Barclay, each dated 11th June, 1792, containing the necessary information and instructions for their government, in the trusts respectivey confided to them.

"On Mr. Pinkney's arrival in England, he learned the death of Admiral J. P. Jones. The delays which were incurred, in conveying the papers to Mr Barclay, are explained in a letter from Mr. Pinkney, to the Secretary of State, of 13th December, 1792. He was enjoined to use caution, in conveying Mr. Barclay's despatches to him, secrecy being essential to the success of his operations. Some time elapsed before he could ascertain where Mr. Barclay was; much difficulty arose in procuring a confidential person, to take charge of, and deliver Mr. Barclay's despatches. Mr. Lemuel Cravath, of Massachusetts, was at length prevailed on to undertake the delivery of the despatches, into Mr. Barclay's hand, whether he should be at Gibraltar or Morocco. This difficulty overcome, it was some time before Mr. Cravath could procure a passage to Gibraltar or any neighboring port. He availed himself, however, of the first opportunity that offered.

"Mr. Barclay had received the papers, and made preparations for his departure for Algiers, but was taken ill on the 15th, and died on the 19th January, 1793, at Lisbon. This unfortunate event was known here on the 18th March; and, on the 20th and 21st, letters were written to Mr. Pinkney and to Colonel David Humphreys, apprising them, that in consequence of the death of Admiral J. P. Jones, first, and afterwards of Mr. Barclay, to whom the mission to Algiers had been successively confided, the President of the United States had appointed Colonel Humphreys to undertake the execution of it, in person.—Captain Nathaniel Cutting was appoint-

ed to be the bearer of these letters, and to accompany and assist Colonel Humphreys as secretary, in his mission.

"Captain Cutting took his passage in a vessel bound for London, which sailed about the 13th or 14th of April, but he did not leave England till the 3d September; and on the 17th of that month, Colonel Humphreys embarked from Lisbon for Gibraltar, from whence he wrote the letter herewith communicated, of October 8th, last past, informing us of the truce of a year, concluded between Algiers and Portugal, and from whence he was to proceed to Algiers.

Colonel Humphreys to the Secretary of State, Gibraltar, October 8, 1793.

(EXTRACT.)

"SIR—I have already forwarded for you five copies of despatches, to inform you that a truce, for twelve months, was concluded between Portugal and Algiers, and that a fleet of Algerine cruizers had gone through the Straits, into the Atlantic, on Saturday night last. They were reported to me by an officer of a Portuguese frigate, who spoke with them, to consist of eight sail. I believe, however, there were but three frigates, two xebecks, and a brig. This morning another Algerine frigate was in this harbor, and has gone through the Straits, to the westward.

"With sentiments of esteem, &c.

"D. HUMPHREYS."

"These are the circumstances which have taken place since the date of the former reports, of December 28, 1790; and, on a consideration of them, it cannot but be obvious, that whatever expectations might have been formed of the issue of the mission to Algiers, at its first projection, or the subsequent renewals to which unfortunate events gave occasion, they must now be greatly diminished, if not entirely abandoned. While the truce with two such commercial nations as Portugal and Holland, has so much lessened the number of vessels exposed to the capture of these corsairs, it has opened the door which lets them out upon our commerce, and ours alone; as, with the other nations navigating the Atlantic, they are at peace. Their first successes will probably give them high expectations of future advantage, and leave them little disposed to relinquish them, on any terms.

"A circumstance to be mentioned here, is, that our resident minister and consul at Lisbon, have thought instantaneous warning to our commerce, to be on its guard, of sufficient importance to justify the hiring a Swedish vessel to come here express with the intelligence; and there is no fund out of which that hire can be paid.

"To these details, relative to Algiers, it is to be added, as to Morocco, that their internal war continues; that the succession is not likely soon to be settled, and that, in the mean time, their vessels have gone into such a state of decay, as to leave our commerce in no present danger for want of the recognition of our treaty; but, that still it will be important, to be in readiness to obtain it, the first moment that any person shall be so established in that government as to give hope that this recognition will be valid.

"THOMAS JEFFERSON."

"*December* 14, 1793."

By a letter from Colonel Humphreys, to the Secretary of State, dated Gibraltar, October 7th, 1793, and another from Edward Church, Esq. consul of the United States, at Lisbon, to the same, dated Lisbon, October 12th, 1793, it appears, that the truce concluded between Portugal and Algiers was made through the instrumentality of Mr. Logie, consul of Great Britain at Algiers. Colonel Humphreys remarks, "There are strong circumstances to induce me to believe, it was without the authority, or even knowledge of his own court, from which, (I am most credibly informed,) he has not received any direct official communication, for fourteen months past. This was owing to his having been recalled, and a successor appointed for that residence." Mr. Church, in a conversation with his Excellency Luis Pinto de Louza, Minister and Secretary of State for foreign affairs, for Portugal, was assured that the truce was "as unexpected to the court of Portugal as it could be to us; and if it was not quite so unwelcome, yet it was by no means agreeable to their court, who never intended to conclude either a peace or truce with the Dey, without giving timely notice to all their friends, that they might avoid the dangers to which they might otherwise be unavoidably exposed, by trusting to the protection of the Portuguese ships of war stationed in the Mediterranean That the court of Portugal had, about six months past, expressed to the courts of England and Spain, a desire of their friendly co-operation, to induce a disposition in the Dey, towards the establishment of a firm and lasting peace with her most faithful Majesty; but having appointed no person, directly or indirectly, to negotiate in behalf of her Majesty, they considered the business as only in embryo. But the British court, zealous overmuch for the happiness of the two nations, Portugal and Algiers, in order to precipitate this important business, very officiously authorized Charles Logie, the British consul general and agent at Algiers, not only to treat, but to conclude, for and in behalf of this court, not *only without authority, but even without consulting it!*"

Notwithstanding these assurances of the Portuguese minister, in whose sincerity Mr. Church professed "great confidence," we are told, in the same letter, by Mr. Church, "It is a matter of certainty, which I have from undoubted authority, though contradicted by the minister, Luis Pinto, and at present a great secret, that one of the present Portuguese ministers is in this execrable plot—a plot loudly and publickly execrated by the Portuguese nation."

It is not material to us to inquire at this day, with whom this "plot" originated. We are not now in a situation to be essentially injured by any truce, which Portugal or any other nation, may, at any time, make with Algiers. But this truce, between Portugal and Algiers, and another, concluded at the same time, between the states of Holland and the Dey, were events, which, at that period, *when the United States did not possess a single vessel of war, when our commerce and seamen were at the mercy of every freebooter*, were viewed with the most serious alarm, and produced the most distressing consequences, as the sequel will show.

The first intelligence of this truce having been concluded, announced, also, that an Algerine fleet had gone into the Atlantic. Mr. Church, in his letter of 12th October, 1793, states, that this fleet consisted of four ships, carrying 44, 36, 30, and 28 guns; three xebecks, 20, 24, and 26 guns, and one brigantine of 22 guns; and, on the 14th, he says, "another corsair is in the Atlantic.—God preserve us." This fleet had already, (on the 9th October, 1793,) captured four American vessels, viz: two brigs, one ship, and one schooner.

At this period, there were sixteen American vessels in the port of Lisbon, for which Mr. Church obtained convoy from the Portuguese government.

The Dey of Algiers would listen to no terms whatever, positively refusing to receive our minister, Col. Humphreys. His language was, "Let the American ambassador take care how he comes here, under the protection of any flag whatever." And, on another occasion, he declared that his interest did not permit him to accept any offers, however advantageous; "because," said he, "if I were to make peace with every body, what should I do with my corsairs? What should I do with my soldiers? they would take off my head; for the want of other prizes, not being able to live upon their miserable allowance."

The Algerine maritime force consisted, as stated by captain O'Brien, on the 12th November, 1793, of

Four frigates, carrying	44, 32, and 24 guns,
One Polacre,	18 guns,
One brig,	20 guns,
Four Xebecks,	20, 14, and 12 guns,

One brig on the stocks, pierced for 20 guns, and sixty gun boats.

Ten of our vessels, and one hundred and five masters, mates, and mariners, sailing under our flag, had already been seized, in one short cruize.

In a letter, dated Algiers, 5th November, 1793, and addressed to the President of the United States, captain O'Brien states as follows:

"In consequence of the Portuguese obtaining a cessation of hostilities with this regency, the Algerine corsairs have captured ten American vessels; the masters and crews amounting to one hundred and five subjects of the United States, are employed as captive slaves on the most laborious work. They are in a distressed and naked situation.

"Your excellency will perceive, that the United States have at present, no alternative, but to fit out, with the greatest expedition, thirty frigates and corsairs, in order to stop those sea-robbers from capturing American vessels."

Colonel Humphreys, in a letter to the Secretary of State, dated Madrid, December 25th, 1793, observes, "It appears absurd to trust to the fleets of Portugal, or any other nation, to protect and convoy our trade. *If we mean to have a commerce*, we must have a *naval force* to defend it. Besides, the very *semblance of this*, would tend more towards enabling us to maintain our neutrality in the actual critical state of affairs in Europe, than *all the declarations, reasonings, concessions, and sacrifices, that can possibly be made.* Denmark, Sweden, and even Genoa, have as yet been able to avoid taking any hostile part, notwithstanding the apparent determination of the combined powers to the contrary; and I need not observe, how much less in condition, (from their population and other circumstances,) to keep up a naval force, some of those powers are, than the United States."

Captain O'Brien to Colonel Humphreys—Algiers, December 6th, 1793.

"In addition to the ten sail of American vessels, captured the first cruize, they have captured the brig Minerva, of New-York, Captain Ingraham, from Livorn; so that there is, at present, one hundred and twelve American captives in this city.

"The Swede presents for the peace are not come. The Dey, enraged, gave the Swedes six months to complete all; if not, they look out for war.

"I see no alternative, but for the United States, with all possible speed, to fit out ten sail of forty gun frigates, six brigs of war of eighteen guns each, and four schooners of sixteen guns each. These to be the fastest sailing vessels ever built in America, well appointed, and manned; and to proceed towards Gibraltar, Algesiras, and Mahon; there to rendezvous, and to carry on a vigilant offensive cruising. They will give more security to our commerce, than all the marine of Portugal did. And depend sir, that if this plan is not adopted speedily, the corsairs of Algiers and Tunis, will remain masters of the west-

ern ocean. They will cruise in the channel of the western islands, and *be tempted to go on to the coasts of the United States.* Then, sir, what will be the consequences—what will be the alarm? Even if you succeed, (in negotiating,) or not, the present moment requires we should have cruisers."

"These corsairs are this day eleven sail, mounting from forty-four to twelve guns; only one is at sea. I am afraid she will be too successful. The corsairs of Tunis, are twenty-three sail, mounting from twenty-four guns to four."

To the Honorable House of Representatives of the United States of America.

"The humble petition of the American captives in Algiers, most humbly sheweth, that your petitioners had the misfortune to be captured by the corsairs of this regency, in October and November last, whilst we were navigating vessels belonging to citizens of the United States. That your petitioners, and their crews, are at present captives in this city of bondage, employed daily on the most laborious work, without any respect to persons.

"That your most humble petitioners are informed that the plague, that fatal and tremendous disorder, is raging in the country adjacent; and as your unfortunate petitioners are confined in two slave prisons, with six hundred captives of other nations; that from their situation, the wisdom of the United States will consider what must be the fatal effects of the plague spreading, and coming amongst the captives.

"That your petitioners return their country their sincere thanks, for the provision allowed them by their worthy representative, Mr. Humphreys; which provision, in some degree, helps to alleviate, somewhat, our hard fate and sufferings; without which allowance, our lives would be rendered much more burdensome and unhappy.

"That your petitioners pray, you will take their unfortunate situation into consideration, and adopt such measures as will restore the American captives to their country, their friends, families, and connexions; and your petitioners will ever pray and be thankful."

Signed by the underwritten masters, on behalf of themselves and brother sufferers.

Richard O'Brien,	John Burnham,
William Wallace,	Isaac Stephens,
Joseph Ingraham,	Timothy Newman,
William Furnass,	Moses Morse,
Samuel Calder,	Michael Smith,
John M'Shane,	James Taylor,
William Penrose.	

List of American vessels captured by the corsairs of Algiers, in consequence of the peace with Spain, in 1785, *and the truce with Portugal, in* 1793, *viz:*

When captured.	Names of Vessels.	Masters' Names.	No. of Crew, Dec. 29, 1793.
1785.			
July 25,	Schooner Maria,	Isaac Stephens,	4
30,	Ship Dauphin,	Rich'd O'Brien,	6
1793.			
Oct. 8,	Ship Thomas,	Tim. Newman.	9
-	Schooner Despatch,	Wm. Wallace,	7
-	Ship Hope,	Jno. Burnham,	18
11,	Brig George,	Jas. Taylor,	8
-	Brigantine Olive Branch,	Wm. Furnass,	7
-	Brigantine Jane,	Moses Moss,	8
12,	Schooner Jay,	Saml. Calder,	7
18,	Ship Minerva,	Jno. M'Shane,	17
23,	Ship President,	Wm. Penrose,	12
25,	Brig Polly,	Michl. Smith,	9
Nov. —	Brig Minerva,	Jos. Ingraham,	7
	Recapitulation, - - - -		119

13 Masters, 13 Mates, 4 Second Mates, 2 Supercargoes, 87 Mariners, } 119 American Captives.

5 Ships, 5 Brigs, 3 Schooners. — 13 Vessels.

The above facts were communicated to Congress, with the following message from the President of the United States.

March 3d, 1794.

"I transmit to you, a letter of Mr. Short, relative to our affairs with Spain; and copies of two letters from our minister at Lisbon, with their enclosures, containing intelligence from Algiers. The whole of these communications are made in confidence, except the passage in Mr. Short's letter, which relates to the Spanish convoy.

"GEORGE WASHINGTON."

Congress at length determined to authorize the equipment of a naval force. Hence originated the act, entitled "An act to provide a Naval Armament," approved March 27th, 1794, the preamble to which, recognizes the considerations which induced its passage, in the following words: "Whereas, the depredations committed by the Algerine corsairs, on the commerce of the United States, render it necessary that a naval force should be provided for its protection—Be it, therefore, enacted," &c.

This law authorized the President of the United States, [Section 1,] "to provide, by purchase, or otherwise, equip, and employ, four ships, to carry forty-four guns, and two ships, to carry thirty-six guns each; or, [sect. 5,] to provide, by purchase or otherwise, in lieu of the six frigates, a naval force, not exceeding, in the whole, that by this act directed, so that no ship thus provided, should carry less than thirty-two guns; or he may so provide any proportion thereof, which in his discretion he may think proper."

The 2d, 3d, 4th, and 6th sections of this act, direct, that there shall be employed on board of the forty-four and thirty-six gun frigates, the following officers and men, and fixes their pay, &c. in the following manner, viz:

Commission Officers, to be appointed and commissioned in like manner as other Officers of the United States.	On board each.		Pay per month.	Rations per day.
	44	36		
Captain,	1	1	$75	6
Lieutenants,	4	3	40	3
Lieutenant of Marines,	1	1	26	2
Chaplain,	1		40	2
Surgeons,	1	1	50	2
Surgeon's Mates,	2	1	30	2
Warrant Officers, to be appointed by the President.				
Sailing Master,	1	1	40	2
Purser,	1	1	40	2
Boatswain,	1	1	14	2
Gunner,	1	1	14	2
Sailmaker,	1	1	14	2
Carpenter,	1	1	14	2
Midshipmen,	8	8	To be fixed by the President.	
Petty Officers, to be appointed by the Captains.				
Master's Mates,	2	2		
Captain's Clerk,	1	1		
Boatswain's Mates,	2	2		
Coxswain,	1	1		
Sailmaker's Mates,	1	1		
Gunner's Mates,	2	2		
Yeoman of the gun room,	1	1		
Quarter Gunners,	11	9		
Carpenter's Mates,	2	2		
Armorer,	1	1		
Steward,	1	1		
Cooper,	1	1		
Master at arms,	1	1		
Cook,	1	1		
Seamen,	150			
Able Seamen and Midshipmen,		130		

M'dshipmen and Ordinary Seamen,	103		Pay, &c. to be fixed by the President.
Ordinary Seamen, - -		90	
Sergeant, - - - -	1	1	
Corporal, - - -	1	2	
Drum, - - - -	1	1	
Fife, - - - -	1	1	
Marines, - - - -	50	40	
* Whole crew, - -	359	312	

The singular circumstance, of a thirty-six gun frigate, being allowed one corporal of marines, [with an equal number of other officers, and a less number of privates,] more than a forty-four, and midshipmen being classed with the able seamen of thirty-six gun frigates, and with the ordinary seamen of forty-fours, in prescribing the numbers of which the crews shall consist, particularly when the number of midshipmen allowed each class of vessels, is distinctly prescribed in a previous section, produces some doubt as to the intention of the law upon this point. The reader may decide for himself, whether to deduct the number of midshipmen, expressly allowed, eight, from the above aggregate numbers, or not; if deducted, the whole crew of a forty-four, would be three hundred and fifty-one, of a thirty-six, three hunded and four.

The law further enacted, that the ration should consist of

	Pork lbs.	Beef, lbs.	Bread, lbs.	Rice, half pint.	Peas, half pints.	Potatoes, lbs.	Salt Fish, lbs.	Cheese oz.	Bulter oz.	Molasses oz.	Spirits half pints.	
Sunday,		1½	1	1							1	Or in lieu, 1 quart of Beer.
Monday,	1		1		1			4			1	
Tuesday,		1½	1			1					1	
Wednesday,			1						2		1	
or in lieu,				1				4		6		
Thursday,	1		1		1						1	
Friday,			1			1	1		*2		1	
Saturday,	1		1		1			4			1	

* Or one gill of oil.

That the vessels of war, provided for by the above act, were only intended to meet the emergency, at that time existing; that it had not then been decided, to establish any thing like a permanent Navy, is obvious; not only from the phraseology of the fifth section of the act, which leaves it discretionary with the President, to provide a force different from that contemplated in the first section, or any proportion thereof which he might think proper; but from the express provision of the ninth section, which declares, "that if a peace shall take place, between the United States and the regency of Algiers, no farther pro-

* The act of 30th June, 1798, authorizes the President, to regulate the number of seamen, landsmen, and marines, and to employ boys.

ceeding shall be had under the act;" and, as if determined that the act should not be carried into effect, with any ulterior view to the establishment of an efficient navy, we find that the whole sum appropriated "to defray the expenses which shall be incurred, pursuant to the act, entitled "An act to provide a Naval Armament," was 688,888 dollars and 82 cents, (see act, June 9, 1794, volume 2, page 441, laws of the United States.) A sum not more than sufficient to build and equip, for a twelve months cruise, and defray the expenses for six months, of two forty-four gun frigates.*

The President of the United States had not yet given up all expectations of concluding a treaty with the Dey of Algiers. The court of Portugal had refused to comply, or delayed complying, with the terms of their truce with that regency, and it was well known, that if Portugal persisted in this policy, war between her and Algiers would have been the consequence; and in such event, the Dey would have changed his tone, with respect to us, and no longer have refused our reasonable overtures. The French consul at Algiers, Mr. Valliere, then in high favor with the Dey, had generously proffered his services, through Colonel Humphreys, to aid in a negotiation for peace. "If," said he, "those, (the peace,) of Portugal and Holland should miscarry, the circumstance will then prove favorable to you, and your conditions would be less onerous."

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* The resolution of the House of Representatives (of the 2d January, 1794,) "that a Naval force adequate to the protection of the commerce of the United States, against the Algerine corsairs, ought to be provided," was passed by a majority of two voices only; and when the bill, founded upon this resolution was brought up, it was strenuously opposed in every stage. Its adversaries, who were powerful in number and in talents, urged, with all the force and eloquence, their ingenuity could devise, that the force contemplated, was inadequate to the object: that the finances of the nation, did not admit or justify expensive fleets: that it was a sacred duty as well as sound policy to discharge the public debt, and carefully avoid every unnecessary expense: that older and more powerful nations, bought the friendship of Algiers, and we might do the same, or that we might subsidize some of the European naval powers to protect our trade.—The advocates of the bill, contended, that the force proposed, if not adequate, might easily be made so, by an additional number of frigates or other vessels of war: that our finances would be improved by protecting commerce: that the expense ought, therefore, to be incurred, as a measure of sound economy: that the saving in insurance, would fully counterbalance the proposed expense: that the purchase of peace with Algiers, was at least doubtful: that its policy was questionable: that to depend upon other powers for that protection which we could ourselves afford, did not comport with the dignity or true interests of the nation: that the sufferings of our fellow-citizens, in slavery, appealed irresistibly to our best feelings, and demanded the most strenuous exertions at our hands. The bill obviously gained friends by the discussion, for it was passed by a majority of eleven; but it is understood, that it could not have been carried, if the provision, suspending all proceedings in the event of peace with Algiers, had been omitted.

None of our vessels had been captured since the preceding November, and the court of Portugal had, on many occasions, given proof of the most friendly disposition towards us, by affording convoy to our vessels, often when inconvenient to themselves, to a latitude, ensuring their safety from capture. This conduct, on the part of Portugal, may probably be considered as affording evidence of the truth of Mr. Pinto's assurances to Mr. Church, as to his government not having authorized the truce concluded with Algiers, on its behalf, by the British consul, Logie.

Our minister, Colonel Humphreys, was also at Alicant, ready to avail himself of any auspicious event that might occur, with reference, either to a peace with Algiers, or the liberation of our captive citizens.

Under these circumstances, the President, General Washington, determined to build the vessels contemplated in the *first* section of the act of 27th March, 1794, viz: four forty-four gun, and two thirty-six gun frigates; and that they should be built in the following ports, viz:

At Boston,	one	44
At New York,	one	44
At Philadelphia,	one	44
At Portsmouth, Va.	one	44
At Baltimore,	one	36
At Portsmouth, N. H.	one	36

No time was lost in making every preparatory arrangement for the building of these vessels. Mr. Joshua Humphreys, of Philadelphia, a distinguished ship builder, of very extensive practical knowledge in his profession—Mr. John Hacket of Salisbury, Massachusetts, who had constructed and built the Alliance frigate, and others, were consulted "upon the best properties to be adopted as a general plan, for the vessels now to be built"—upon the most adviseable means of procuring the frames, the materials of which the vessels ought to be built, &c. The models submitted by Mr. Humphreys, were, after much consultation and consideration, adopted; and that gentleman was, on the 28th June, 1794, appointed the constructor and master builder of the forty four gun ship, to be built at Philadelphia, with a salary of two thousand dollars per annum, commencing on the 1st May, "in consideration of his incessant application to the public interest, in adjusting the principles of the ships, drawing up drafts, and making models, &c.

The President, with the advice and consent of the Senate, appointed the following gentlemen captains of the navy:

JOHN BARRY,
SAMUEL NICHOLSON,
SILAS TALBOT,
JOSHUA BARNEY.
RICHARD DALE,
THOMAS TRUXTUN,

Ranking in the order in which their names are stated; and their appointments were communicated to them 5th June, 1794.

Captain Barney declined accepting, not from any disinclination to serve his country, but in consequence of the arrangement, as to rank. This produced a vacancy, which was filled on the 18th July, 1794, by the appointment of James Sever, to take rank after Captain Truxtun.

The following shows the distribution of the officers, thus appointed, and the constructors and agents, for building the several ships.

Captains and Superintendants.	Naval Constructors.	Navy Agents.	For ship to be built at
John Barry,	Joshua Humphreys,	Isaiah Coxe,	Philad.
Sam. Nicholson,	George Cleghorn,	Henry Jackson,	Boston,
Silas Talbot,	Forman Cheeseman,	Jno. Blagge,	N. York
Richard Dale,	Jno. Morgan,	W. Pennock,	Norfolk
Thos. Truxtun,	David Stodder,	Jeremiah Yellott,	Balt.
James Sever,	James Hackett,	Jacob Sheaffe,	Portsm.

On the 21st December, 1795, President Washington communicated to the Senate, a letter from the Emperor of Morocco, recognizing the treaty of peace and friendship, between the United States, and his father, the late Emperor, as follows:

"In the name of the Almighty God!—There is no power but that proceeding from God!!—THE GREAT GOD!!!—Soliman Ben Mahammet, Ben Ab dullah, to whom God be merciful,—To the President of the United States, a Prince, and to all the States.

"After this, we received the letter, where you mention your ambassador at Lisbon, whom you had appointed to come to us; and, also, we have received your said ambassador's power to your consul Simpson, who resides at Gibraltar, by which he gives him power to act, in every particular, as he himself was authorized to do, at our Imperial Court, (which God have in his keeping,) had he come to meet with us.

"By the present you sent us, and your letter, we know you still esteem us, and that you have regard for every thing that concerns us.

"Your care to preserve our friendship, is very agreeable to us, and you will experience the like from us, or more; because, you were faithful to our Father, who is in glory.

"Your messenger, whom we esteem, we have received in a manner, worthy of the friendship which subsists between you and us: also, we have received the present at his hands with satisfaction; and we have mentioned to him those articles of your present, which were, in particular, acceptable and to our liking. Continue writing letters to us, at our court, that our present friendship may be made the more secure, and still increased. And we are at peace, tranquillity, and friendship with you, in the same manner, as you were with our father, who is in glory—Peace!!"

"Sealed at Rhabat, the 2d of the Moon Zafar, in the year 1210"—1795."

The instructions to Colonel Humphreys, authorized an expenditure of 25,000 dollars, to obtain the recognition of this treaty, and no doubt the whole amount was applied accordingly.

A treaty of peace had, on the 5th September, 1795, been agreed upon, between Joseph Donaldson, esq. acting under authority from Colonel Humphreys, in behalf of the United States, and Hassan Bashaw, Dey of Algiers, which the Dey and Divan promised to observe, in consideration of the United States paying annually, the value of 12,000 Algerine sequins, (21,600 dollars,) in maritime stores. This treaty was transmitted to Colonel Humphreys, at Lisbon, who approved it, on the 28th November, 1795, and forwarded it, for the final ratification of the President of the United States, by and with the advice and consent of the Senate.

Peace with Algiers having been concluded, no farther progress could be made in building the frigates; for, as we have before seen, the law directed, that, in such event, all proceedings should be suspended.

The President called the attention of Congress to this subject, and stated that serious losses would result from a sudden suspension of the work, and the discharge of the valuable corps of artificers and men employed in completing it.

In January, 1796, the chairman of the committee of the House of Representatives, to whom the subject of the frigates had been referred, called upon the Secretary of War, (then charged with the superintendence of the Navy,) for information as to the progress made, in building them, the expenses incurred, &c. and, in a reply, dated 20th January, 1796, he was informed:—

"That the tonnage of the four forty-four gun frigates, was computed at 6,852 tons; that of the two thirty-sixs' at 2,666 tons; consequently, the six frigates, would measure 9,518 tons, which, at $ 120 per ton, would cost $ 1,142,160
From which was to be deducted this sum, appropriated by act of June 9th, 1794, 688,888

Leaving yet to be appropriated, to complete the six frigates, $ 453,272

And by the following statement, made by Mr. Francis and others, it appears that such progress had been made, in building these frigates, that they could all have been completed in 1796.

"From the present arrangements that are made, and apparent prospect, it is expected that the six frigates may be built, launched, and completely equipt, in the course of the present year, and that one forty-four, and one thirty-six, may be completed with great ease, by November next, at farthest.

Tench Francis, Purveyor.
Thomas Truxtun,
Joshua Humphreys, N. Const.
Josiah Fox, N. Const.

Philadelphia, January 13, 1796.

This information was communicated to Congress; and on the 20th of April following, "An Act supplementary to An Act, entitled "An Act, to provide a Naval Armament" passed; authorizing the President to continue the construction and equipment of two frigates of forty-four guns, and one frigate of thirty-six guns, appropriating, for this purpose, the unexpended balance of the $688,888 82 (appropriated for the six frigates, by act of the 9th June, 1794,) and the sum of 80,000 dollars, which, by the act of 9th June, was appropriated for a provisional equipment of galleys, but no part of which had been expended on that object. This act further authorized the President, to cause to be sold, the perishable materials collected for building the six frigates, and not wanted for the three frigates to be built; and to cause the surplus of the other materials to be safely kept, for the future use of the United States.

This act, while it authorized the President to continue the construction and equipment of three of the six frigates, provided for by the act of 27th March, 1794, discontinued the remaining three, notwithstanding such progress had been made, that the whole six might have been built, launched, and completely equipt, within the year.

The policy of discontinuing three of these frigates was justly questioned at the time, by many of the most enlightened statesmen of our country, who urged, that our commerce was in

an unprotected state: that agriculture and manufactures were intimately connected with commerce, and essentially dependant thereon, and equally urgent in recommending its protection. That our affairs with Algiers, were not yet definitively settled; that although a treaty with that power had been signed, yet as it had not been fully complied with on our part, (owing to a failure in our pecuniary negotiations,) the Dey had become impatient, and threatened to abandon it: that our flag had been repeatedly insulted by the belligerent cruizers, particularly those of Great Britain and France: that our neutrality had not been respected: that even within our territorial jurisdiction, we had not escaped the most insulting treatment: that hundreds of our vessels had been seized, stripped of their crews, carried into foreign ports, some condemned, others vexatiously detained, to the loss and utter ruin of their owners: that thousands of our mariners had been imprisoned and cruelly treated: that the Republic was increasing in population and resources: that commerce could well afford to pay for its protection: that it was due to the rights and liberties secured to us by the valor and patriotism of our revolutionary worthies: that it was due to every consideration of national honor, and interest, that the nation should be placed in an attitude to repel insult, punish aggression, and defend itself: that in every view, a naval force, adequate to the protection of our trade, ought to be provided.—On the other hand, it was contended, that we had recently concluded a peace with Algiers, and obtained the recognition of a pre-existing one, with Morocco: that negotiations were on foot, and would no doubt result in our obtaining indemnities for the spoliations committed on our trade: that the nation was not in a situation to incur the expense of a navy: that commerce ought to protect itself: that the people of the United States would not submit to have taxes imposed upon them, for the support of armies and navies: that executive patronage should be circumscribed: that the genius of the constitution urged a watchful, jealous policy upon this point: that in the hands of an ambitious man, armies and navies, instead of affording security and protection, might put our liberties in jeopardy.—Other and similar arguments were urged with great ingenuity; and it was finally decided that three of the frigates should be discontinued; indeed, it was not without difficulty that the authority to complete three of them was obtained.

Without undertaking to decide between these doctors in politics, it will not, we hope, be considered presumptuous in us, to enter our dissent to the last argument mentioned; so far at least, as regards the Navy; and we would refer to universal history, in proof of the position; that Navies were never known to be dangerous to the liberties of the country to which they belonged. Armies have, (though seldom,) abandoned the standard of their country—*Navies, never!*

President Washington, in his speech to both Houses of Congress, 7th December, 1796, observes:

"After many delays and disappointments, arising out of the European war, the final arrangements for fulfilling the engagements made to the Dey and regency of Algiers, will in all present appearances, be crowned with success; but under great, though inevitable disadvantages, in the pecuniary transactions, occasioned by that war, which will render a further provision necessary. The actual liberation of all our citizens, who were prisoners in Algiers, while it gratifies every feeling heart, is itself an earnest of a satisfactory termination of the whole negotiation. Measures are in operation for effecting treaties, with the regencies of Tunis and Tripoli."

"To an active external commerce, *the protection of a naval force is indispensable.* This is manifest with regard to wars, in which a state is itself a party. But, besides this, it is in our own experience, that the most sincere neutrality is not a sufficient guard against the depredations of nations at war. *To secure respect to a neutral flag, requires a naval force, organized, and ready to vindicate it from insult or aggression.* This may even prevent the necessity of going to war, by discouraging belligerent powers from committing such violations of the rights of the neutral party, as may, first or last, leave no other option. From the best information I have been able to obtain, it would seem as if our trade to the Mediterranean, without a protecting force, will always be insecure, and our citizens exposed to the calamities from which numbers of them have but just been relieved.

"These considerations invite the United States to look to the means, and *to set about the gradual creation of a Navy.* The increasing progress of their navigation promises them, at no distant period, the requisite supply of seamen; and their means, in other respects, favor the undertaking. It is an encourgement, likewise, that their particular situation will give weight and influence to a moderate naval force in their hands. Will it not then be advisable to begin, without delay, *to provide and lay up the materials for the building and equipping of ships of war; and to proceed in the work, by degrees, in proportion, as our resources shall render it practicable, without inconvenience;* so that a future war of Europe, may not find our commerce in the same *unprotected* state, in which it was found by the present."

On the 6th January, 1797, the Secretary of State, Colonel T. Pickering, made a report, to the President of the United States, upon the subject of our affairs with the Dey and regency of Algiers, of which the following are extracts:

"When Colonel Humphreys left America, in April, 1795, he was accompanied by Joseph Donaldson, Esq. who had been appointed consul for Tunis and Tripoli; and him Colonel Humphreys was authorized to employ in negotiating a treaty

with Algiers; while he should proceed himself to France, for the purpose of obtaining the co-operation of that government in this negotiation.

"They arrived at Gibraltar on the 17th May. Colonel Humphreys concluded, that it was expedient for Mr. Donaldson to go first to Alicant, rather than Algiers, in order to be near at hand, to ascertain facts, and profit of occasions. He gave him instructions accordingly; and having also instructed Mr. Simpson, our consul at Gibraltar, to renew our peace with the Emperor of Morocco, Colonel Humphreys sailed from Gibraltar on the 24th May, and arrived at Havre de Grasse the 26th June, whence he set off immediately for Paris. The object of his mission was communicated by our minister, Colonel Monroe, to the committee of public safety. On the 28th July, assurances were received, that immediate measures should be taken for giving particular instructions to the agents of the republic, to use its influence in co-operation with us. The multiplicity of affairs with which the officers of the government were occupied, and the getting from London a sum of money necessary to purchase the usual peace presents, prevented a conclusion of the arrangements at Paris, until September. It had been judged expedient, by Colonel Humphreys and Colonel Monroe, that Joel Barlow, Esq. should be employed in the negotiations with the Barbary states, and his consent had been obtained. By the 11th September, all the writings, on the part of Colonel Humphreys, were prepared, for Mr. Barlow, to proceed, with the instructions and powers of the government of the French republic, to its agents in Barbary, in favor of our negotiation."

"Colonel Humphreys left Paris the 12th September, and reached Havre the 14th, where he found the master and mate of the United States' brig Sophia, both sick with fevers. While waiting there impatiently for their recovery, he received intelligence from our consul at Marseilles, that Mr. Donaldson had concluded a treaty of peace with the Dey of Algiers. Nevertheless, Colonel Humphreys thought it expedient that Mr. Barlow should proceed with the presents prepared, and preparing, at Paris; for, if not needed at Algiers, they would be wanted in the negotiation with Tunis and Tripoli.

"About the 5th October, Colonel Humphreys sailed from Havre; and after a stormy passage, of more than forty days, arrived at Lisbon the 17th November. There he found Captain O'Brien, who had arrived about the 1st October, with the treaty with Algiers.

"On the 3d September, Mr. Donaldson arrived at Algiers, and on the 5th, the treaty was concluded, and the peace present immediately given, by a loan from Mr. Bacri, the Dey's broker. Mr. Donaldson, knowing that funds had been lodged in London to answer his stipulations, engaged to make the payments in three or four months.

"Colonel Humphreys had received advice, under date of 30th July, from the Messrs. Barings, in London, to whom the funds had been remitted, that, having made progress in the sales of the United States stock, they should hold at his disposal the whole value of 800,000 dollars, meaning to furnish, by anticipation, the value of that part, which remained unsold, if the service of the United States required it. Colonel Humphreys, counting on the money as always ready after this period, sent Captain O'Brien from Lisbon to London, in the brig Sophia, to receive it. Owing to contrary winds, she did not leave Lisbon till the 24th December.

"The disappointments in the pecuniary negotiations, put the treaty in jeopardy. The Dey became impatient, and threatened to abandon it; and it was with extreme difficulty that it was prevented. Mr. Barlow did not arrive at Alicant until February, 1796, where he proposed to await the arrival of the funds; but after a little time, his intelligence from Algiers showing that our affairs were in a most critical situation, he determined to go thither immediately, with the hope of soothing the Dey. He arrived there on the 5th March. They had before prolonged the time to the 8th April, for the payment of the stipulated sums. On the 3d of that month, (April, 1796,) the Dey declared what should be his final determination: that in eight days, Mr. Barlow and Mr. Donaldson should leave Algiers; and if, in thirty days after, the money was not paid, the treaty should be at an end, and his cruisers should bring in American vessels. Under these circumstances, and as the last hope of saving the treaty, they were induced to offer the present of a frigate. This fortunately succeeded."

On referring to dates, it will be found, that these events passed in Algiers, during the very month in which the question of discontinuing three of the frigates, was discussed in our national legislature; and, but for the fortunate circumstance of Mr. Barlow and Mr. Donaldson having bribed the Dey to continue the peace, by engaging to give him a frigate, all the evils predicted by those who advocated the building of the frigates, in the event of their being discontinued, would have been realized.

But, what did this treaty cost the nation?

The Secretary of the Treasury, [Honorable Oliver Wolcott,] in a report to the President, dated 4th January, 1797, states:

"In pursuance of an act, passed the 21st February, 1795, the sum of $800,000 was borrowed of the Bank of the United States, which was paid in six per cent. stock. A conviction of the urgency of the case, and a disposition to accommodate the government, alone induced the bank to consent to the loan, as the stock was then saleable in large quantities, at par, including interest. Bills of exchange were not readily obtainable, and *the sudden exportation of so considerable a sum of specie would have been attended with inconvenient effects.* In-

deed, no alternative offered, but to renounce the negotiation, or to remit stock as a fund."

By the same report, the Secretary estimates the whole expense of fulfilling the treaty, as follows:

"Payments stipulated at the time of closing the treaty, to the Dey, his officers, and the Treasury, for the redemption of the captives,	$525,500	
For per centage on the captives,	27,000	
Peace presents, consular presents, &c.	60,000	
Commissions to the Jew broker, and presents to principals, &c.	30,000	
Amount of money to be paid in Algiers,	$642,500	
Which, with the expenses of remitting it from London to Algiers, &c. will amount to	$702,758	81
To which add:		
Payments made to Colonel Humphreys, pounds sterling, 3,471		
Payment to Captain O'Brien, 31		
Sterling pounds, 3,502 or	15,564	44
Naval stores stipulated,	124,413	
Freight of the said stores,	50,000	
Expense of the frigate promised,	99,727	
	$992,463	25

We may, it is presumed, put the cost of this treaty down at one million of dollars.

By the last article of the treaty, the United States were bound to pay an annuity of 12,000 sequins, in maritime stores; and the stores which it was then understood would be most acceptable to the Dey and regency, consisted, in quantity and kind, as is shown in the following estimate of their cost, prepared by Tench Francis, Esq. the purveyor.

For Paying the first and second years annuities.

1000	Barrels of powder,	L. 15,000
2000	Pine and oak plank,	6,000
3000	Pine boards,	4,500
2000	Pine staves,	50
100	Dozen long tar brushes,	100
34	Cables, 80 tons,	10,800
10	Coils white rope, 11,200 lbs.	500
5	Tons Yarn,	975
100	Bolts canvas,	550
	Carried over.	L. 38,475

	Brought over,	*L.* 38,475	
3 Tons Lead,		120	
35 Tons Spikes,		3,597	10 0
2000 Bomb shells,		650	
		42,842	10
Equal to		$114,246	63
To transport the above to Algiers,		30,000	
		$144,246	63

The President, in a message to Congress, on the 23d June, 1797, states, that "the Dey of Algiers has manifested a predilection for American built vessels, and in consequence has desired that two vessels might be constructed, and equipped as cruizers, according to the choice and taste of Captain O'Brien. The cost of such vessels, built of live oak and cedar, and coppered, with guns and all other equipments complete, is estimated at forty five thousand dollars. The expense of navi gating them to Algiers may perhaps be compensated, by the freight of the stores with which they may be loaded, on account of our stipulations by treaty, with the Dey."

"A compliance with the Dey's request appears to me to be of serious importance; he will repay the whole expense of building and equipping the two vessels; and as he has advanced the price of our peace with Tripoli, and become pledged for that of Tunis, the United States seem to be under peculiar obligations to provide this accommodation; and I trust that Congress will authorize the advance of money necessary for that purpose"

The President further stated in his message, the importance of placing at Algiers, a person of integrity and ability, as consul; and recommended the conferring on such person, a superintending power over the consulates for the States of Tunis and Tripoli, and an increase of salary from two thousand to four thousand dollars per annum.

CHAPTER III.

President Washington's message, 5th March, 1794, with report of Secretary of State—Depredations on our commerce by the British—By the French—Mr. Jay, appointed Envoy Extraordinary to his Britannic Majesty—Depredations by the cruizers of France—President's message, 19th January, 1797—Mr. Skipwith's report as to the vexations and ruinous conduct of French armed vessels—Complaints of French minister—Want of an efficient marine—Insulting conduct of French directory, noticed by President Adams—Fresh attempt at negotiation—Messrs. Pinkney, Marshall, and Gerry, appointed—President Adams earnestly recommends a naval force, 16th May, 1797—Report of Secretary of State as to the depredations committed on our commerce, since 1st October, 1796—Cruel treatment of our seamen—Proceedings of Congress during the session, from 15th May, to 8th July, 1797—President's speech, 23d November, 1797—Recommends efficient naval measures—Outrages near Charleston, S. C. by the Vertitude—President Adams, 19th March, 1798, announces the failure of the mission to France, and reiterates his recommendation to provide a naval force—Equipment of the frigates United States, Constitution, and Constellation, authorized by Congress, 27th March, 1798.

We have now arrived at a period, when we have to represent some of the depredations committed upon our commerce by the cruizers of European Powers, particularly those of Great Britain and France, and the sufferings which accrued therefrom, to our seafaring citizens; in which will be shown the causes of our maritime war with the latter nation, and the consequent extension of our naval establishment.

The assistance magnanimously afforded us by France, in our revolutionary struggle, had left on our minds strong impressions of gratitude—and never, it is believed, was a nation less inclined to wage hostilities with another, than was that of America on this occasion. The idea of putting on the armor of war against a people, who had aided us so essentially in the day of our need, was resisted probably too long for the honor of the nation.

The act, of 7th July, 1798, declaring the treaties with France no longer obligatory on the United States, and the defensive measures, which preceded and followed that act, were forced upon us. The repeated indignities offered to our government—the numerous violations of our rights, by the government and cruizers of France, placed us in that situation, that we had to choose between national degradation and ruin,

and a manly defence of our rights—Americans did then, and ever ought, and we trust, ever will, prefer the latter.

Message from the President of the United States to Congress, 5th March, 1794.

"The Secretary of State, having reported to me upon the several complaints, which have been lodged in his office, against the vexations and spoliations on our commerce, since the commencement of the European war, I transmit to you a copy of his statement, together with the documents upon which it is founded."

"GEORGE WASHINGTON."

PHILADELPHIA, MARCH 2, 1794.

SIR—"In your message to both Houses of Congress, on the 5th December, 1793, you inform them, that "the vexations and spoliations, understood to have been committed on our vessels and commerce, by the cruizers and officers of some of the belligerent powers, appeared to require attention: that the proofs of these, however, not having been brought forward, the description of citizens, supposed to have suffered, were notified, that on furnishing them to the executive, due measures would be taken to obtain redress of the past, and more effectual provisions against the future," and that "should such documents be furnished, proper representations will be made thereon, with a just reliance on a redress proportioned to the exigency of the case.

"On my accession to the Department of State, I found a large volume of complaints, which the notification had collected, against severities on our trade, various in their kind and degree. Having reason to presume, as the fact has proved, that every day would increase the catalogue, I have waited to digest the mass, until time should have been allowed for exhibiting the diversified forms, in which our commerce has hourly suffered. Every information is at length obtained, which may be expected."

The sensations excited by the embarrassments, danger, and even ruin, which threatened our trade, cannot be better expressed, than in the words of the committee of Philadelphia. After enumerating particular instances of injury, their representation to government proceeds thus:

"On these cases, which are accompanied by the legal proofs, the committee think it unnecessary to enlarge, as the inferences will of course occur to the Secretary; but they beg leave to be permitted to state other circumstances, which, though not in legal proof, are either of such public notoriety, as to render legal proof unnecessary, or so vouched to the committee, as to leave them in no doubt of the truth of them.

"It has become a practice, for many of the privateers of the belligerent powers, to send into port all American vessels they meet with, bound from any of the French ports in the West

Indies, to the United States; and it is positively asserted, that the owners of some of them have given general instructions to their captains to that effect; and though many of those vessels have been afterwards liberated, yet the loss, by plunder, detention, and expense, is so great as to render it ruinous to the American owner. In many cases, where the cargoes have been valuable, the owners of the privateers, after acquittal, have lodged appeals, which they never intended to prosecute, but merely with a view of getting the property in their hands, upon a valuation made so unfairly, as to ensure them a considerable profit, even if they should finally be made liable.

"Fourteen days only are allowed to an American owner, to make out his claim, which renders it impossible for him, unless he is on the spot, and every difficulty which a combination of interested persons can devise, is thrown in the way, to prevent his getting security; and in few instances can it be done, but by making over his vessel and cargo to the securities, and thereby subjecting himself to the heavy additional charge of commission, ensurance, &c. It may be added, that the most barefaced bribery is sometimes practised, to prevail on unwary boys, or those who know little of the obligation of an oath, to induce them to give testimony in favor of the captors.

"Besides the cases here enumerated, the committee have information of a number of vessels belonging to this port, being captured and carried into different ports; but as the legal proofs are not come forward, they forbear to mention them.

"It is proper, however, for them to add, that, besides the loss of property occasioned by those unjust captures and detentions, the masters and crews of the vessels are frequently subjected to insults and outrages, that must be shocking to Americans. Of this, the case of Captain Wallace is an instance. There are others within the knowledge of the committee, of which they only wait the legal proof to lay them before the Secretary.

"To this last list of grievances, the committee are sorry to find it their duty to add, that by reason of the vexation, loss, and outrages, suffered by the merchants of the United States, its commerce already begins to languish, and *its products are likely to be left upon the hands of those who raise them.* Prudent men doubt the propriety of hazarding their property, when they find that the strictest conformity with the laws of nations, or of their own country, will not protect them from the rapacity of men, who are neither restrained by the principles of honor, nor by laws sufficiently coercive to give security to those, who are not subjects of the same government.

"The committee conclude this representation, with an assurance, that they have, in no degree, exaggerated in the statement they have made, and that they will continue to communicate all such information, as they may further receive; of which nature, before the closing of this report, they are sorry to add,

is that of the irruptions of the Algerines from the Mediterranean, in consequence of a truce concluded with that regency, it is said, by the British minister, on behalf of Portugal and Holland. This alarming event, to which some American ships, we hear, have already become victims, is of so distressing a nature, as must soon deprive us of some of the most lucrative branches of our commerce, if not speedily checked or prevented. The immediate effects it has produced in ensurance, and the fears it may instil into our seamen and commanders, are of a nature highly deserving the serious consideration of government, on whose protection and zeal, for the interests, commercial and agricultural, of the country, the committee implicitly rely."

In a supplementary letter, the committee of Philadelphia make this conclusion: "That the cases which they recite, and others less formally announced, serve to show, that there are frequent instances of suppression of papers, registers, &c. very prejudicial to our shipping on their trials, and of injuries, by the destruction of letters, to the general correspondence of the country with foreign nations."

When we examine the documents which had been transmitted from different parts of the Union, we find the British, the French, the Spaniards, and the Dutch, charged with attacks upon our commerce.

It is urged against the British:—

"1. That their privateers plunder American vessels, throw them out of their course, by forcing them, upon groundless suspicion, into ports other than those to which they were destined; detain them even after the hope of a regular confiscation is abandoned, by their negligence, while they hold the possession, expose the cargoes to damage, and the vessels to destruction, and maltreat their crews.

"2. That British ships of war have forcibly seized mariners belonging to American vessels, and in one instance under the protection of a Portuguese fort.

"3. That by British regulations and practices, our corn and provisions are driven from the ports of France, and restricted to the ports of the British, or those of their friends.

"4. That our vessels are not permitted to go from the British ports in the Islands, without giving security, (which is not attainable but with difficulty and expense,) for the discharge of the cargo in some other British, or a neutral port.

"5. That, without the imputation of a contraband trade, as defined by the law of nations, our vessels are captured for carrying on a commercial intercourse with the French West Indies, although it is tolerated by the laws of the French republic; and that for this extraordinary conduct, no other excuse is alleged, than that by some edict of a King of France, this intercourse was prohibited; and,

"6. That the conduct of the admiralty in the British islands, is impeachable for an excess of rigour, and a departure from strict judicial purity, and the expenses of an appeal to England too heavy to be encountered, under all the circumstances of discouragement."

Against the French, it is urged:—

"1. That their privateers harrass our trade no less than those of the British.

"2. That two of their ships of war, have committed enormities on our vessels.

"3. That their courts of admiralty are guilty of equal oppression.

"4. That besides these points of accusation, which are common to the French and the British, the former have infringed the treaty between the United States and them, by subjecting to seizure and condemnation our vessels, trading with their enemies in merchandise, which that treaty declares not to be contraband, and under circumstances not forbidden by the laws of nations.

"5. That a very detrimental embargo has been laid upon large numbers of American vessels, in the French ports; and,

"6. That a contract with the French government for coin, has been discharged in depreciated assignats."

Against the Spaniards, the outrages of privateers are urged; and,

Against the Dutch, one condemnation in the admiralty is insisted to be unwarrantable," &c.

"EDMUND RANDOLPH."

On the 16th April, 1794, President Washington transmitted to the Senate, a nomination of Mr. Jay, as Envoy Extraordinary, to his Britannic Majesty, in a message, as follows:

"GENTLEMEN OF THE SENATE,

"The communications which I have made to you, during your present session, from the despatches of our minister in London, contain a serious aspect of our affairs with Great Britain. But as peace ought to be pursued, with unremitted zeal, before the last resource, which has so often been the scourge of nations, and cannot fail to check the advanced prosperity of the United States, is contemplated, I have thought proper to nominate, and do hereby nominate, John Jay, as Envoy Extraordinary of the United States, to his Britannic Majesty. My confidence in our minister plenipotentiary in London, continues undiminished; but a mission like this, while it corresponds with the solemnity of the occasion, will announce to the world, a solicitude for a friendly adjustment of our complaints, and a reluctance to hostility. Going immediately from the United States, such an envoy will carry with him a full know-

ledge of the existing temper and sensibility of our country, and will thus be taught to vindicate our rights with firmness, and to cultivate peace with sincerity.

"GEORGE WASHINGTON."

A treaty of *amity, commerce, and navigation,* between the United States and Great Britain, resulted from this mission; and the ratifications were exchanged in London, 28th October, 1795.

President Washington, in his speech to both houses of Congress, December 7, 1796, observes: "While in our external relations, some serious inconveniences and embarrassments have been overcome, and others lessened, it is with much pain, and deep regret, I mention, that circumstances of a very unwelcome nature have lately occurred. Our trade has suffered, and is suffering, extensive injuries in the West Indies, from the cruizers and agents of the French republic; and communications have been received from its minister here, which indicate the danger of a further disturbance of our commerce, by its authority, and which are, in other respects, far from agreeable.

"It has been my constant, sincere, and earnest wish, in conformity with that of our nation, to maintain cordial harmony, and a perfectly friendly understanding with that republic. This wish remains unabated, and I shall persevere in the endeavor to fulfil it, to the utmost extent of what shall be consistent with a just and indispensable regard to the rights and honor of our country; nor will I easily cease to cherish the expectation, that a spirit of justice, candor and friendship, on the part of the republic, will eventually ensure success.

"In pursuing this course, however, I cannot forget what is due to the character of our government and nation; or to a full and entire confidence in the good sense, patriotism, self-respect, and fortitude of my countrymen."

On the 19th January, 1797, the President transmitted to Congress, a message, with a volume *of letters and papers, showing the injuries which our trade had suffered, and was still suffering, in the West Indies, from the cruizers and agents of the French republic; and stating numerous complaints, on the part of the French minister, against the United States.

With respect to the injuries sustained by our commerce, some idea of them may be formed, from Mr. Skipwith's letter, of the 3d October, 1794, to Mr. Monroe, our minister plenipotentiary at Paris, and the statements accompanying it, of which the following are extracts:

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* See "State Papers," volume 2, page 113.

"At your request, I now lay before you, a statement of the innumerable embarrassments and difficulties, which our commerce has, for a long time, and continues still to labor under, in the different ports of the French republic. It is evident, if their government does not soon remedy the incessant abuses and vexations, practised daily upon our merchants, vessels, captains, and crews, the trade of the United States with France must cease. I can assure you, that there are near three hundred sail of American vessels now in the ports of France, all of whom have suffered, or are suffering, more or less delay and difficulties. The hardships of which I have chiefly to complain, and out of which there grows incalculable evils, may be developed under four general heads:

"1. The capture, indiscriminately, of our vessels at sea, by the vessels of war of the republic.

"2. The impossibility of Americans selling their cargoes, and receiving payment at the ports to which they are conducted, or of their own accord, arrive.

"3. The difficulties and procrastination, which they find in their transactions with the Boards of Marine and Commerce.

"4. The non-compliance or heretofore delay, in fulfilling the contracts, made by the agents of the French Republic, in America, for supplies of provisions.

"The seizure of our vessels at sea, often gives rise to the most serious and well founded complaints:—The stripping them of their officers and crews, who are generally replaced by boys and inexperienced hands, in order to be conducted to ports, exposes them to much injury, and some times total loss. The confinement of our sailors taken out of those vessels, the seals upon their cargoes, and above all, the sending the papers to the commission of marine at Paris, involves the most unwarrantable hardships and delays. The agents of the commissions of commerce at the different ports, having no power to treat directly for cargoes; it follows, that they must write to the commissions at Paris, for orders; and after one or two months' fruitless correspondence, it often happens that the captains are obliged to come up to Paris, where, being ignorant of forms and language, they have to encounter a thousand difficulties."

Mr. Skipwith states a number of instances of American vessels being captured by the armed ships of the Republic. Among others, the following is selected.

"Schooner Ruth, Captain John Peter, taken by the frigates Railleuse, la Resolve, and the Insurgent,* and conducted to Rochefort, after being stripped of all her crew except the cabin boy, where she remains with her hatches closed, and the cargo (of fish) in a perishing state."

*Afterwards captured by the frigate Constellation.

He also mentions a number of vessels, (eleven in all,) which had arrived at Bordeaux, Nantz and Rochefort, in August and September, 1794, loaded on account of the Republic, under contracts signed by the French minister, in this country, for which payment could not be obtained.

A list of thirty-eight vessels, owned by citizens of the United States, captured and carried into different ports of France, and for which full indemnity was in no case obtained; the indemnities awarded, being in many instances, paid for in depreciated assignats; in others, withheld under various pretexts, and the amount in others, far less than the losses actually sustained—together with a list of one hundred and thirty-two claims, still undecided by the French government, and of one hundred and three American vessels, detained by embargo, at Bordeaux, accompany Mr. Skipwith's report, and show the deplorable state to which our commerce was reduced; the heavy losses to which our merchants were subjected, the hardships and deprivations to which our mariners were exposed.

The amount of property, taken by the administrative bodies of the French republic, in the *West Indies*, in the years 1793, 4, and 5, was stated, by more than forty of the most respectable merchants in *Philadelphia*, to exceed two millions of dollars, for which they had no mode of obtaining payment, satisfaction, or redress; and, therefore, appealed to the government to obtain it for them—while in other cities, our merchants were suffering to an equal extent, proportioned to their commerce, from the same causes.

On the other hand, the French minister complained:—

"That the United States had abandoned their neutral rights, in not maintaining the principles, that *free ships make free goods*, and that timber and naval stores, for the equipment and armament of vessels of war, are not contraband of war; that the United States had violated their treaties with France, even in their letter; that the treaty of amity, commerce and navigation, between the United States and Great Britain, "deprived France of all the advantages stipulated in a previous treaty." Under these general heads of complaint, various grievances were urged by the French minister; but an examination of the correspondence upon the several points, will, it is believed, satisfy every dispassionate mind, that these complaints, were either utterly unfounded in reason, or that the facts complained of, arose from causes which our government could not controul.—In the language of President Washington, the invariable policy of the government he administered, was, "to cultivate peace with all the world, to observe treaties with pure and absolute faith, to check every deviation from the line of impartiality, to explain what may have been misapprehended, and correct what may have been injurious to any nation; and, having thus acquired the right, to lose no time in

acquiring the ability, to insist upon justice being done to ourselves."

Some of the complaints of the French minister were frivolous in the extreme. It would seem indeed, that he possessed a peculiar faculty for the invention of complaints; no sooner was he discomfitted in one, than another was brought forward; and we find him at length formally complaining, that in the directories and almanacs of our country, published by individuals, the names of foreign ministers and agents, residing in the United States, were so arranged, that those of Great Britain *preceded* those of France; and he called upon our government to suppress the circulation of such directories and almanics!

Every complaint, however, wherever made, by the authorities of France, whether serious or otherwise, was replied to by our ministers and agents, in terms evincing the friendly dispositions of our government towards that country, its pacific and impartial policy towards all nations, its respect for treaties, and its desire to adjust every difficulty upon fair and honorable principles; and a recurrence to the voluminous correspondence, which arose upon the various points in controversy between the two governments, will show the moderation, dignified firmness, and conclusive course of reasoning pursued by our diplomatists, in their discussion. But one argument was wanting—one that would have been worth more than all those which learning or ingenuity could devise. Had we possessed that magical argument, *a naval force adequate to the protection of our commerce,* we should not have had to discuss complaints, which were only made as pretexts, for seizing our ships, imprisoning our seamen, insulting our flag, and refusing to receive from our government a minister,* (sent for the purpose of renewing the discussion, in a friendly and conciliatory spirit,) until we should accede to such demands as their jealous, rapacious, and insulting policy dictated. Had we possessed this argument, we should have been spared many of the mortifications and vexatious incidents, which it was our lot to receive, at the hands of officers of both the French and English governments, and to which we could at that time make no other appeal, than that which remonstrance afforded; and the marked neglect and indifference, which in many instances attended our representations, evinced but too clearly to our wounded understandings, the mortifying fact, that both nations cherished the unholy doctrine of "power giving right." Could we have wielded this argument, Captain Home, of the British ship of war Africa, would not have dared to intercept the sloop Peggy,† sailing within the jurisdiction, and under the flag of

* General Pinkney.

† He wanted to seize the French minister, Mr. Fauchet, and his papers. Mr. F. was returning to France, and sailed in the Medusa, July, 1795.

the United States. He would not have dared to write a letter of insult to the governor of Rhode Island, threatening, if one of his officers, who had been detained in consequence of the detention of the Peggy, was not given up to him, that "he would immediately come into Newport, with his Majesty's ship under his command, and protect his people;" affrontingly demanding a written answer, "and that without loss of time." Neither would he have dared to pursue the French frigate, the Medusa, in two or three hours after she got under weigh, thus offering a new insult to the sovereignty of the United States!

We derive some consolation, however, on this occasion, from the President's having promptly issued orders, prohibiting all intercourse with the Africa, and revoking the exequatur of the British consul, Mr. Thos. W. Moore, who was so imprudent as to transmit Captain Home's communication to governor Fenner. Had we, indeed, but had this argument on our side, we should probably have been spared the insult, in the face of all Europe, conveyed in the reply of the President of the French Directory, to our minister, Mr. Monroe's valedictory address.

"France, rich in her liberty, surrounded by a train of victories, strong in the esteem of her allies, will not abase herself by calculating the consequences of the condescension of the American government, to the suggestions of her former tyrants. Moreover, the French republic hopes that the successors of Columbus, Raleigh, and Penn, always proud of liberty, will never forget that they owe it to France. They will weigh in their wisdom the magnanimous benevolence of the French people, with the crafty caresses of certain perfidious persons, who meditate bringing them back to their former slavery. Assure the good American people, sir, that like them, we adore liberty; that they will always have our esteem, and that they will find in the French people republican generosity, which knows how to grant peace, as it does to cause its sovereignty to be respected."

This insult was offered to our government, when it was administered by a man, whom not to admire and venerate, would surely imply a taste for the reverse of every moral excellence. Our Washington was about to surrender to the people, all those dignities, and responsibilities, and cares of office, which they had twice unanimously conferred upon him, and to retire to the shades of private life, with the hope of enjoying its comforts and consolations, when his administration was thus assailed.

His venerable successor, Mr. Adams, soon after his installation, convened Congress; and, in his speech to both houses, on the 16th May, 1797, thus notices this insult:

"The speech of the President, (of the French Directory,) discloses sentiments more alarming than the refusal of a minister, because more dangerous to our independence and union;

and at the same time studiously marked with indignities towards the government of the United States. It evinces a disposition to separate the people of the United States from the government; to persuade them that they have different affections, principles, and interests from those of their fellow citizens, whom they themselves have chosen to manage their common concerns; and thus to produce divisions fatal to our peace. Such attempts ought to be repelled, with a decision which shall convince France, and the world, that we are not a degraded people, humiliated under a colonial spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honor, character, and interest.

"I should have been happy to have thrown a veil over these transactions, if it had been possible to conceal them; but they have passed on the great theatre of the world, in the face of all Europe and America, and with such circumstances of publicity and solemnity, that they cannot be disguised, and will not soon be forgotten. They have inflicted a wound in the American breast; it is my sincere desire, however, that it may be healed.

"It is my desire, and in this I presume I concur with you, and with your constituents, to preserve peace and friendship with all nations; and believing, that neither the honor nor the interests of the United States absolutely forbid the repetition of advances for securing these desirable objects with France, I shall institute a fresh attempt at negotiation,* and shall not fail to promote and accelerate an accommodation, on terms compatible with the rights, duties, interests, and honor of the nation."

Many of our most enlightened, high minded, and patriotic statesmen, entertained opinions and views different from those expressed by the President, as to another attempt at negotiation. After the numerous insults we had received, and the numerous wrongs, we had sustained, they thought it a species of degradation, to renew overtures which had been so indignantly repelled. It is understood, that our ministers of state, who composed the cabinet at that period, were divided in their opinions upon this point; and, indeed, the language of the President himself, "Believing that neither the honor nor the interests of the United States *absolutely* forbid the repetition of advances," appears to justify the inference, that the measure had not his own hearty assent, and that, if the government had have possessed the means of defending the rights of the nation on

* This was made. On the 15th July, 1797, three of our most distinguished citizens, Charles C. Pinckney, John Marshall, and Elbridge Gerry, were appointed Envoys Extraordinary and Ministers Plenipotentiary, to the French republic. The result of this mission is known to the world.

that element where we had so much at stake, it might not have been proposed by him. No individual ever possessed a higher sense of national honor, or a loftier spirit to vindicate it, than President Adams; but this spirit was bridled by imperious circumstances, forbidding the adoption of its counsels.

But while thus observing the admonitory maxims of a temperate and prudent policy, the President was not unmindful of the necessity of adopting efficient measures of defence. In the same speech, he observes:

"While we are endeavoring to adjust all our differences with France by amicable negotiation, the progress of the war in Europe, the depredations on our commerce, the personal injuries to our citizens, and the general complexion of affairs, render it my indispensable duty, to recommend to your consideration effectual measures of defence.

"The commerce of the United States has become an interesting object of attention, whether we consider it in relation to the wealth and finances, or the strength and resources of the nation. With a sea-coast of near two thousand miles in extent, opening a wide field for fisheries, navigation, and commerce, a great portion of our citizens naturally apply their industry and enterprize to these objects. Any serious and permanent injury to commerce, would not fail to produce the most embarrassing disorders; to prevent it from being undermined and destroyed, it is essential that it receive an adequate protection.

"The naval establishment must occur, to every man who considers the injuries committed on our commerce, the insults offered to our citizens, and the description of vessels by which these abuses have been practised.

"A naval power, next to the militia, is the natural defence of the United States: the experience of the last war, would be sufficient to show, that a moderate naval force, such as would be easily within the present abilities of the union, would have been sufficient to have baffled many formidable transportations of troops, from one state to another, which were then practised. Our sea coasts, from their great extent, are more easily annoyed, and more easily defended, by a naval force, than any other. With all the materials, our country abounds; in skill our naval architects and navigators, are equal to any; and commanders and seamen will not be wanting."

The House of Representatives, by resolution, of 10th June, 1797, called for a report, respecting the depredations committed on the commerce of the United States, since the 1st October, 1796; and by a report, from the Secretary of State, on the 21st June, 1797, it appeared, that thirty-two ships, brigs, and schooners, had been captured by French cruizers, and that the documents respecting them, were then in the Department of State: that the public gazettes announced the capture, by the

same power, of three hundred and eight other vessels, some few of which had been recaptured by the British, but by far the greater number condemned; and instances are given of cruel tortures being applied to our countrymen, to compel them to make disclosures, which would afford some pretext, for condemnation of the vessels and cargoes: other instances, where our citizens were confined in loathsome dungeons, with scarcely food enough to sustain life—scourged with whips—hacked with swords—put to death! but we forbear—the horrid recital, even at this distant day, excites feelings of irrepressible indignation.

Several instances are also given, of vessels having been captured by British and Spanish cruizers, and suffered the most vexatious treatment. The number of captures by the Spanish cruizers was not known; but the consul of the United States, had informed the Secretary of State, "that almost daily, American vessels were taken, and brought in by French and Spanish privateers." The number of captures and cases of vexatious detention, by the British cruizers, were stated to be nine. The cases were, however, supposed to be provided for, by the seventh article of the treaty with that government.

Thus, were we made the football of every nation, prompted by cupidity to enrich itself, at the expense of our trade.

All that was done by Congress, during this session, which commenced 15th May, and ended 8th July, 1797, having any reference to the defence of the nation was :—

14 June. To prohibit the exportation of cannon, muskets, pistols, bayonets, swords, cutlasses, musket balls, lead, bombs, grenades, gun powder, sulphur, or saltpetre.

23 June. To appropriate $115,000, for fortifying certain ports and harbors.

24th June. To authorize a detachment of eighty thousand milita, to be held in readiness, to march at a moment's warning.

30th June. To declare that no registered vessel, which should be seized or captured, and condemned, under the authority of any foreign power, should be entitled to a new register, excepting in the single case, of her again coming into the possession of the original owner.

1st July. To man and employ the frigates United States, Constitution, and Constellation; to increase the strength of the revenue cutters, and provide certain compensations for wounds and disabilities sustained in the public service.

6th July. To raise a revenue, by imposing stamp duties.

8th July. To lay an additional duty on salt, &c.

8th July. To authorize a loan of $800,000, pledging the revenues for its repayment, at the pleasure of the United States, "or at such period as may be stipulated by con-

tract, not exceeding five years, from the time of obtaining the loan."

10th July. To appropriate $200,000, for completing the three frigates—$100,000, for increasing the strength of the revenue cutters—$100,000, for the pay and subsistence of the officers and crews of the frigates—and $5,000, for the Hospital Department—

When Congress adjourned, till 2nd Monday in November, following.

Congress convened again in November, 1797, and the President, in his speech, 23d November, observes, that nothing had occurred, since the adjournment of Congress, to render inexpedient those precautionary measures, recommended at the opening of their previous session; that increasing depredations upon our commerce, strengthened the reasons for their adoption. Our envoys extraordinary to the French Republic, John Marshall and Elbridge Gerry, esqrs. had sailed in July and August, to join their colleague, C. C. Pinckney, in Holland; but great uncertainty existed, as to the result of the negotiation.—Whether favorable or oiherwise, the President urged the expediency of exerting, "those resources for national defence, which, a beneficent Providence has kindly placed within our power."

"The commerce of the United States, (says the President,) is essential, if not to their existence, at least to their comfort, growth, prosperity and happiness. The genius, character and habits of the people, are highly commercial. Their cities have been formed, and exist upon commerce—our agriculture, fisheries, arts, and manufactures, are connected with, and depend upon it. In short, commerce has made this country what it is; and it cannot be destroyed or neglected, without involving the people in poverty and distress. Great numbers are directly, and solely supported by navigation. The faith of society is pledged for the preservation of the rights of commercial and seafaring, no less than of the other citizens. Under this view of our affairs, I should hold myself guilty of a neglect of duty, if I forbore to recommend, that we should make every exertion to protect our commerce, and to place our country in a suitable posture of defence, as the only sure means of preserving both."

On the 5th February, 1798, the President communicated to Congress, a letter from his excellency Charles Pinckney, the Governor of South Carolina, enclosing a number of depositions of witnesses, to several captures and outrages committed within and near the limits of the United States, by a French privateer, belonging to Cape Francois, or Monte Christo, called the Vertitude, or Fortitude, and commanded by captain Jourdain. This privateer, mounting two six pounders and some swivels, captured and burnt the English ship Oracabissa, within the bar of the harbor of Charleston; then proceeded to sea, and the next

day captured the ship Pallas, of Charleston, and the brig Mary, of Savannah.

On the 27th March, 1798, Congress appropriated $115,833, to complete and equip for sea, with all convenient speed, the frigates United States, Constitution and Constellation.—$216,679 for the pay and subsistence of the officers and crews, for one year, in addition to the $100,000 appropriated, 10th July, 1797, for the same object—$60,000 "to defray the wear, losses, expenditures of ammunition, and other current and contingent expenses of the naval armament; and $2,200 to defray the salaries of persons having charge of the Navy Yards, at Norfolk, New York, Portsmouth, and for the rents of the same.

On the 19th March, 1798, the President informed Congress, by message, that the despatches from our envoys extraordinary to the French Republic, while they evinced that sincere and unremitted exertions had been made to adjust the differences between the two nations, left "no ground of expectation that the objects of their mission can be accomplished, on terms compatible with the safety, honor, or the essential interests of the nation."

"This result, (the President observed,) cannot, with justice, be attributed to any want of moderation on the part of this government, or to any indisposition to forego secondary interests, for the preservation of peace. Knowing it to be my duty, and believing it to be your wish, as well as that of the great body of the people, to avoid, by all reasonable concessions, any participation in the contentions of Europe, the powers vested in our envoys were commensurate with a liberal and pacific policy, and that high confidence which might justly be reposed in the abilities, patriotism, and integrity of the characters to whom the negotiation was committed. After a careful review of the whole subject, with the aid of all the information I have received, I can discern nothing which could have ensured, or contributed to success, that has been omitted on my part, and nothing further which can be attempted, consistently with maxims for which our country has contended, at every hazard, and which has constituted the basis of our national sovereignty.

"Under these circumstances, I cannot forbear to reiterate the recommendations which have been formerly made, and to exhort you to adopt, with promptitude, decision, and unanimity, such measures as the ample resources of the country afford, for the protection of our seafaring and commercial citizens; for the defence of any exposed portions of our territory; for replenishing our arsenals, establishing foundries and military manufactories, and to provide such efficient revenue as will be necessary to defray extraordinary expenses, and supply the deficiencies which may be occasioned by depredations on our commerce."

CHAPTER IV.

Secretary of War reports upon Naval Affairs—9th April, 1798—Recommends building or purchasing vessels—Estimates—Additional Armament—Protection of commerce and coasts—Office of the Secretary of the Navy established—B. Stoddert appointed Secretary—Acts of Congress—Number of vessels authorized to 3d June, 1798—Treaties with France declared no longer obligatory—Acts of Congress—Marine Corps—Whole number of vessels authorized July—Instructions to Officers—Ganges sails—Delaware captures Le Croyable—United States and other vessels sail—Disposition of Naval force—Secretary's report, of 24th December—Officers and crews of vessels—Twelve months' provisions for each—Annual cost—State of the Navy, 24th December—Estimates of building a 44, 36, 24.

ON the 9th April, 1798, the Secretary of War, who was charged with the duty of superintending the concerns of the Navy, as well as those of the Army, addressed to the Honorable Samuel Sewall, (chairman of the committee of the House of Representatives, for the protection of commerce, and the defence of the country,) a letter of which the following are extracts:

"What measures are necessary and proper to be adopted by Congress, in the present conjuncture, to preserve character abroad, esteem for the government at home, safety to our sea property, and protection to our territory and sovereignty?

"France derives several important advantages from the system she is pursuing towards the United States. Besides, the sweets of plunder, obtained by her privateers, she keeps in them, a nursery of seamen, to be drawn upon, in all conjunctures, by her Navy. She unfits by the same means, the United States for energetic measures, and thereby prepares us for the last degree of humiliation and subjection.

"To forbear, under such circumstances, from taking naval and military measures, to secure our trade, defend our territory, in case of invasion, and prevent or suppress domestic insurrection, would be to offer up the United States a certain prey to France, and exhibit to the world a sad spectacle of national degradation and imbecility.

"The United States possess an extensive trade—heavy expenses must be submitted to for its protection.

"The measures which appear indispensably necessary for Congress to take, are as follows, viz:

1st. An increase of the naval force, to serve as convoys, protect our fisheries, coast and harbors.

2d. An augmentation of our present military establishment.

3d. and 4th. Relate to a further military force and fortifications.

5th. A supply of ordnance, small arms, powder, saltpetre, copper and military stores.

6th. Additional revenue.

"To answer the 1st, Congress ought to provide for the building or purchasing, equipping, &c. of two vessels of twenty-two guns, eight of twenty guns, and ten of sixteen guns, in addition to the three frigates: To vest the President with authority, in case of open rupture, to provide, equip, and by such means as he may judge best, a number of ships of the line, not exceeding six, or an equivalent force in frigates.

"The first may be built or purchased in the United States. The latter may, perhaps, be obtained in Europe; for which purpose the law should use general expressions, admitting this mode of procuring them.

To build the twenty vessels, equip, man, and provision them, for twelve months, will require, as per annexed estimate, $1,941,181.

"It may, under this head, be also advisable, to make a provision for six gallies, carrying, each, one or two twenty-four pounders. This will require for gallies carrying one twenty-four pounder each, as per estimate, $68,826."

In this letter Mr. M'Henry recommended that the military establishment should be augmented, by adding

One regiment of infantry.

One regiment of artillery.

One regiment of cavalry; and a provisional army, of 20,000 men.

The regiment of infantry, he proposed, should be enlisted to act in the double capacity of Marines and Infantry. "By an arrangement of this kind, and having the men stationed at the principal sea-ports, they will be always ready to be put on board such vessels as want them, and when not so wanted, will serve to defend the coast, work upon the fortifications, or in dock yards, and guard the public property from thefts or embezzlement."

"JAMES M'HENRY."

The following estimates accompanied the foregoing letter:

ESTIMATE of building, rigging, and equipping, three ships of war, to carry twenty-two, twenty, and sixteen guns, together with the cost of manning and victualling the same for twelve months:

	Ships of 22 guns.	Ships of 20 guns.	Ships of 16 guns.
The ship of 22 guns, and 20 guns, may be built at $35 per ton, that of 16 guns, at $30 per ton.	$17,010	$14,910	$ 9,210
Smith's bill, iron and working, including hand work, &c.	6,000	5,000	3,000
Anchors,	997	840	640
Joiner and painter,	1,500	1,400	1,000
Boats,	400	400	300
Plumber's bill and lead,	1,000	800	600
Carved work, (if any.)	300	250	200
Cooper's bill,	800	600	430
Blockmaker's bill,	1,000	750	550
Sail-maker's bill and canvass,	4,200	3,500	2,730
Cables, rigging and cordage,	9,000	7,875	4,800
Fixing rigging and completely rigging the ship,	1,200	1,000	750
Ship chandlery,	2,000	2,000	1,500
Copper sheathing, nails and rudder braces,	6,000	5,500	3,000
Kentlege,	1,680	1,400	1,200
Cambouse and cooking utensils,	900	800	500
Medicines, surgeon's instruments, medicine chests, &c.	600	500	200
Boats, oars, masts, &c. ship's sweeps, &c.	200	200	100
Rigging and pump-leather,	150	150	120
Turner's bill for wheel and sundries,	100	75	50
Rum,	200	180	160
Boards and plank, for cabin store rooms, &c.	200	180	160
Flannel for the sheathing,	400	300	200
Watering, ballasting and craft hire,	300	250	150
Carpenter's and boatswain's stores, &c.	1,100	1,000	800
Parceling, twine and lines,	200	180	100
Points, gaskets, and robins, &c.	100	90	80
Common day labour,	1,000	900	750
Transporting Stores, &c.	1,000	1,000	800
Copper bolts, in addition to the price of iron, provided the ships are copper bolted,	3,600	3,000	1,800
Naval stores,	622	600	500
	64,359	56,110	36,670
The military stores of every description, including marine clothing,	9,583	8,826	4,988
Contingencies,	9,556	8,535	5,307
Making the cost of each, when completely built, equipped, and fitted for sea, including expense of recruiting crew, slops, pilotage, commissions, &c.	83,498	73,471	46,965

	Ships of 22 guns.	Ships of 20 guns.	Ships of 16 guns.
The whole pay per month is estimated at	$ 2,453	$ 2,175	$ 1,378
Number of rations per day, at 28 cents,	177	167	107
Whole number of crew, including marines,	161	151	95

RECAPITULATION.

	Ships of 22 guns.	Ships of 20 guns.	Ships of 16 guns.
Ships will cost - - -	64,359	56,110	36,670
Contingencies, - - -	9,556	8,635	5,307
Military stores, &c. - -	9,583 96	8,826 95	4,988 16
Pay and subsistence for one year,	47,525 40	43,167 40	27,471 40
	131,024 36	116,739 35	74,436 56

2 vessels, of 22 guns, at 131,024 36, each -	$262,048 72
8 vessels, of 20 guns, at 116,739 35, each -	933,914 80
10 vessels, of 16 guns, at 74,436 56, each -	744 365 60
Making the cost of building, equipping and maintaining in service, for one year,	$1,940,329 12
Which is stated, by the Secretary, at	1,941,181 00

The cost of building, equipping, and supporting in service for one year, a galley, is thus estimated:

Cost of building, - - - - -	1,545 50
Military stores, &c. - - - - -	2,343 50
Pay and subsistence, - - -	7,582 00
Whole number of crew 30.	11,471 00

These views and estimates were submitted to Congress, early in April, 1798, and on the 27th of that month an act passed, entitled "An act to provide an additional armament for the further protection of the trade of the United States, and for other purposes," authorizing the President to cause to be built, purchased or hired, a number of vessels, not exceeding twelve, to carry not more than twenty-two guns each, to be armed, fitted out, and manned, under his direction; and appropriating 950,000 dollars to carry these provisions into effect.

On the 30th April, 1798, the office of Secretary of the Navy was established by law.

Benjamin Stoddert, esq. of Georgetown, in the District of Columbia, was appointed to this office.—A more fortunate selection could not well have been made. To the most ardent patriotism, he united an inflexible integrity, a discriminating mind, great capacity for business, and the most persevering industry. He entered upon the duties of his office in June, 1798.

Another act was passed on the 4th May, 1798, authorizing the building or purchasing of a number of small vessels, to be equipped as gallies, or otherwise, and stationed in such ports of the United States as the President might direct. Eighty thousand dollars were appropriated for this object.

On the 28th May, 1798, the act, entitled "*An act more effectually to protect the commerce and coasts of the United States,*" was passed, which authorized the President to instruct and direct the commanders of our armed vessels to seize, take and bring into any port of the United States, to be proceeded against according to the laws of nations, any armed vessel of the Republic of France, sailing under authority, or pretence of authority, which shall have committed, or which shall be found hovering on the coasts of the United States, for the purpose of committing depredations on the vessels belonging to the citizens thereof; and also, to retake any ship or vessel of any citizen or citizens of the United States, which may have been captured by such armed vessels.

1798. June 22. An act passed to amend the act, providing a Naval Armament; authorizing the President to increase the strength of the revenue cutters to seventy marines, and seamen, and to employ them, as well as the gallies, in the protection of our commerce.

June 28. "An act, in addition to the act, more effectually to protect the commerce and coasts of the United States," was passed, making armed vessels, seized, taken, and brought into any port of the United States, in pursuance of the act of 28th May, 1798, with the apparel, guns, and appurtenances, and the goods and effects which should be found on board of them, liable to forfeiture and condemnation, to be libelled and proceeded against in the district courts of the United States: "Provided, that such forfeiture shall not extend to any goods or effects, the property of any citizen or person resident within the United States, and which shall have been before taken by the crew of such captured vessel."

It provided, that any vessel or other property, belonging to a citizen of, or resident in, the United States, re-captured by any public armed vessel of the United States, should be restored to the owner or owners, upon the payment of one eighth of the value thereof, free of all deduction and expenses, as salvage

It further provided, that any armed vessel, captured and condemned, under this law, whose force should be superior or equal to the public armed vessel making the capture, should belong wholly to the captors; in other cases, one half to the United States, the residue to the captors. Salvage to belong wholly to the officers and crew of the vessel making the capture.

It authorized the court before whom any condemnation should be had, to order the sale, at public auction, of the vessel, goods, or effects condemned; directed that the portion accruing to the United States should be paid into the treasury, and that the residue, and all allowances of salvage, should be distributed "to and among the officers and crews concerned therein, *in the proportions which the President of the United States shall direct.*"

The confinement in a place of safety, within the United States, of all officers and crews of captured vessels, and hostile persons found on board any vessel re-captured, in such manner as the President might think the public interest required, was authorized; and the marshals and other officers were required to execute such orders as the President might issue for any such purpose.

1798. June 30. By act, the President was authorized to accept not exceeding twelve vessels of war, on the credit of the United States, and to cause evidence of the debt to be given therefor, allowing an interest thereon not exceeding six per cent. and the force of these vessels, as well as of those authorized by the previous act of 27th April, 1798, was prescribed as follows:

6 vessels not exceeding 18 guns each,
12 —— not less than 20, nor exceeding 24 guns each,
6 —— not less than 32 guns each;

And the act further authorized the President, in his discretion, to increase or vary the quotas of seamen, landsmen, and marines, and to permit a portion of boys to be employed, according to the exigencies of the service; and to regulate the rank, pay, and subsistence, of the commission and warrant officers to be appointed thereto, not exceeding, however, the grade and allowances authorized by previous laws.

On the 7th July, 1798, Congress passed "An act declaring the treaties heretofore concluded with France, no longer obligatory on the United States," in the following words:

"Whereas, the treaties concluded between the United States and France, have been repeatedly violated on the part of the French government, and the just claims of the United States for reparation of the injuries so committed, have been refused, and their attempts to negotiate an amicable adjustment of all complaints between the two nations, have been repelled with

indignity; and, whereas, under authority of the French government, there is yet pursued against the United States, a system of predatory violence, infracting the said treaties, and hostile to the rights of a free and independent nation:

"*Be it enacted, &c.* That the United States are of right freed and exonerated from the stipulations of the treaties, and of the consular convention, heretofore concluded between the United States and France, and that the same shall not henceforth, be regarded as legally obligatory on the government or citizens of the United States."

On the 9th July, 1798, "An act further to protect the commerce of the United States," was passed, authorizing the President "to instruct the commanders of the public armed vessels, which are, or which shall be, employed in the service of the United States, to subdue, seize, and take, any armed French vessel, which shall be found within the jurisdictional limits of the United States, or elsewhere, on the high seas; and such captured vessel, with her apparel, guns, and appurtenances, and the goods and effects which shall be found on board the same, being French property, shall be brought within some port of the United States, and shall be duly proceeded against, and condemned as forfeited, and distributed according to law; to grant to the owners of private armed ships and vessels of the United States, who shall make application therefor, special commissions in the form which he shall direct, and under the seal of the United States; and such private armed vessels, when duly commissioned, shall have the same license and authority for the subduing, seizing, and capturing, any French armed vessels, and for the re-capture of the vessels, goods, and effects, of the people of the United States, as the public armed vessels may by law have." Such private armed vessels to be subject to the instructions of the President, for the regulation of their conduct, and their commissions to be revocable at his pleasure. The applicants for such commissions were required to produce a particular description of their vessels, the name and place of residence of each owner, the number of the crews, the names of the commanders, and of the two officers next in rank; to give bond, in the penal sum of seven thousand dollars, for the observance of the treaties and laws of the United States, and the instructions of the President, and to "satisfy all damages and injuries which shall be done or committed, contrary to the tenor thereof, by such vessel, during her commission, and to deliver up the same when revoked by the President of the United States."

The prizes taken by private armed vessels, commissioned according to law, were directed, after being condemned, to be distributed according to any agreement between the owners, officers, and crews; or in failure of such agreement, at the discretion of the court, before whom such prizes should be condemned.

The prisoners taken by public, as well as private armed vessels, were directed to be reported to the collector of the port in which they should first arrive, and delivered to the custody of the marshal, or of some civil or military officer of the United States, or of any state in or near such port, for their safe keeping and support, at the expense of the United States.

On the 11th July, 1798, "An act for the establishing and organizing a Marine Corps," was passed. It provided, that the corps should consist of one major, four captains, sixteen first lieutenants, twelve second lieutenants, forty-eight serjeants, forty-eight corporals, thirty-two drums and fifes, and seven hundred and twenty privates—in all, eight hundred and eighty-one: that detachments from such corps shall be made in lieu of the respective quotas of marines authorized for the frigates; and, (in pursuance of the recommendation of the Secretary of War, in his letter of the 9th April, 1798,) that the corps "shall, at any time, be liable to do duty in the forts and garrisons of the United States, on the sea-coast, or any other duty on shore, as the President, at his discretion, shall direct."

The act contemplates the Marine Corps as an "addition to the present military establishment," and declares, that the officers, non-commissioned officers, privates, and musicians, "shall take the same oath, and be governed by the same rules and articles of war, as are prescribed for the military establishment of the United States, and by the rules for the regulation of the Navy, heretofore, or which shall be, established by law, according to the nature of the service in which they shall be employed; and that, in case of wounds or disabilities, they should be entitled, according to their respective ranks, to the allowances prescribed by the act of the 30th May, 1796, entitled "An act to ascertain and fix the military establishment of the United States," that is, to a commission officer, for the highest disability, not exceeding half his monthly pay; to a non-commission officer, musician, or private, not exceeding five dollars per month; and inferior disabilities to entitle a person to an allowance proportionate to the highest disability.

The act further provides the following pay:

Major,	$50 per month, and	4 rations per day,
Captain,	40 - -	3
1st Lieutenant,	30 - - -	3
2d Lieutenant,	25 - -	2 .

The pay of the non-commissioned officers, musicians and privates to be fixed by the President.

It authorizes enlistments for the term of three years, subject to be earlier discharged by the President, or by the ceasing or repeal of the laws providing a naval armament; and provides, that if the corps, or any part of it, should be ordered to do duty on shore, and it should become necessary to appoint an adjutant, pay master, quarter master, serjeant major, quarter master serjeant, and drum and fife major, or any of them, the

major or commandant should be authorized "to appoint such staff officer or officers, from the line of subalterns, serjeant, and music, respectively, who shall be entitled, during the time they shall do such duty, to the same extra pay and emoluments, which are allowed by law to the officers acting in the same capacities in the infantry."

The act authorizes the President, "of *himself*, to appoint the commission officers, whenever, in the recess of the Senate, an appointment shall be necessary."*

1798, 16th July, An act passed providing for the building of three ships to mount *not less* than thirty-two guns each, and $600,000 were appropriated for this purpose. It authorized the President to cause any timber or other materials then on hand, to be used in building them. Thus, authority to build *the three frigates*, suspended by the act of 20th April, 1796, was revived.

The whole Naval force authorized to be built or otherwise provided, now consisted of

12 ships of not less than 32 guns.
12 ships of not less than 20 nor exceeding 24 guns.
6 not exceeding 18 guns—besides gallies and revenue cutters.

Under the before recited acts of Congress, of the 28th day of May, 28th June, and 9th July, 1798, the following instructions, No. 1 and 2, were issued by the President of the United States to all our national vessels of war.

NO: I.

JOHN ADAMS, PRESIDENT OF THE UNITED STATES.

Instructions to the commanders of armed vessels belonging to the United States, given at Philadelphia, this 28th day of May, 1798, *and in the 22d year of the Independence of the United States.*

Whereas, it is declared by an act of Congress, passed the 28th day of May, 1798, that armed vessels sailing under authority or pretence of authority, from the French Republic, have committed depredations on the commerce of the United States, and have recently captured the vessels and property of citizens thereof, on and near the coasts, and in violation of the law of nations, and treaties between the United States and the French nation:—

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* During the succeeding session of Congress, a doubt arose as to the necessity of nominating to the Senate, the marine officers appointed by the President during their recess; and the subject was referred to Mr. Attorney General Lee, who gave it as his opinion, that the law did not contemplate their nomination to the Senate; that their appointments were perfect in law without such nomination, when made in the recess of the Senate.

Therefore, and in pursuance of the said act, you are instructed and directed to seize, take and bring into any port of the United States, to be proceeded against according to the laws of nations, any armed vessels sailing under authority or pretence of authority from the Republic of France, which shall have committed, or which shall be found hovering on the coast of the United States, for the purpose of committing, depredations on the vessels belonging to the citizens thereof; and also to retake any ship or vessel of any citizen or citizens of the United States, which may have been captured by any such armed vessel.

By command,

JAMES M'HENRY.

NO. II.

JOHN ADAMS, PRESIDENT OF THE UNITED STATES.

Instructions to the commanders of armed vessels, belonging to the United States; given at Philadelphia, the 10th day of July, in the year of our Lord, 1798, *and in the 23d year of our Independence.*

In pursuance of the acts of Congress, passed the 28th day of May, the 28th day of June, and the 9th July, you are hereby authorized, instructed, and directed, to subdue, seize, and take any armed French vessel or vessels, sailing under authority, or pretence of authority, from the French Republic, which shall be found within the jurisdictional limits of the United States, or elsewhere on the high seas; and such captured vessel, with her apparel, guns and appurtenances, and the goods and effects which shall be found on board the same, together with all French persons and others, who shall be found acting on board, to bring within some port of the United States; and also to retake any vessels, goods and effects of the citizens of the United States, or persons resident therein, which may have been captured by any French vessel, in order that proceedings may be had concerning such capture or recapture in due form of law, and as to right shall appertain.

By command,

B. STODDERT, *Sec'y. Navy.*

The Ganges, of 24 guns, under the command of captain Richard Dale, was ordered to sea, on the 22*d May,* 1798, and sailed prior to the passage of the act of 28th of the same month. Captain Dale's instructions were necessarily limited. No law existed under which he could be authorized to commit any act of hostility. His orders confined him to the prevention of violations of our *jurisdictional* rights, and to self-defence.

He was directed to cruize between the capes of Virginia and Long Island, changing his course occasionally, so as to afford the best protection in his power to our jurisdictional rights, and to all vessels of the United States in coming in or going off the coast—and to appear off the capes of Delaware about the 12th June, and wait there for additional instructions from the President.

As soon as the law of 28th May was passed, the instructions No. I, were transmitted to him, extending his authority, but still, in pursuance of the act, confining it to the capture of any French armed vessel, which *had committed* or which might be found hovering on our coast *for the purpose of committing*, depredations on our commerce—and to the recapture of any of our vessels, which might have been captured by any such armed vessel.

June 1798. Under these instructions the Delaware, captain Stephen Decatur, sen. and the Constellation, captain Thomas Truxtun, were ordered to sea. They were directed to cruize from cape Henry to the extremity of our southern limits.

In a few days after sailing, the Delaware took and brought into the port of Philadelphia, the French privateer Le Croyable, of fourteen guns and seventy men. This privateer had taken several of our vessels on the coast, and was found *within soundings*, ready to seize others.

In July 1798, the United States, captain John Barry, was ordered to sea, under the same instructions, to cruize from Cape Henry to Nantucket. The day after the passage of the act of 9th July, 1798, the instructions No. 2, were issued, and forwarded to all our vessels of war. Their cruizing grounds were extended; their powers enlarged in virtue of the act, and they were permitted "to stretch further out to sea."

In addition to the vessels previously mentioned, the Constitution, captain Nicholson, the Herald, captain Sever, the George Washington, captain Fletcher, the Merrimack, captain Brown, the Montezuma, captain Murray, the Baltimore, captain Phillips, the Richmond, captain Samuel Barron, the schooner Retaliation, (late le Croyable) lieutenant commandant Bainbridge; and the revenue cutters, Governor Jay, captain Leonard, and General Greene, captain George Price, were all nearly ready for sea.

Mr. Secretary Stoddert proposed to the President, that, reserving one frigate, a sloop of war, and the revenue cutters taken into service, for the protection of our coast, all the other ships of the navy should be ordered to the West Indies. "to keep up incessant attacks upon the French cruizers on their own ground." This judicious policy was immediately acceded to by the President, agreeing as it did with his own previous determination, with regard to the employment of our vessels of war.

Commodore Barry, (11th July,) was directed to proceed with the frigate United States, and the sloop Delaware, Decatur, to Cape Cod, where the Herald, captain Sever, was to join him, and thence to pursue his course to the West Indies, three or four degrees to the windward of Barbadoes, "keeping to the windward of Martinico, Guadaloupe, and Antigua."

While on his way to Cape Cod, commodore Barry discovered a heavy ship with French colors. His own ship displayed similar colors. Ordering captain Decatur, by signal, to stand off and not approach the sail, he prepared his own ship for action and stood for her. The sail made every preparation to receive him, and each manœuvered to gain the weather gage. Great skill and seamanship were displayed by both. At length however, commodore Barry succeeded in gaining such a position as placed his supposed enemy so completely in his power, that in all probability, he could have decided a contest with him in a very short time. At this moment, each ship displayed her appropriate national colors, and the strange sail, to the great mortification of commodore Barry, proved to be the British fifty gun ship the Thetis. Each ship wearing French colors, had mistaken the other for an enemy, and each manifested the utmost anxiety to get along side of the supposed foe. The mistake was unavoidable, as at that period no system of signals had been established between our cruizers and the British.

Soon after this, admiral Vandeport proposed a set of signals, by which American and British cruizers might know each other. The proposition was agreed to, and found mutually beneficial.

Captain Nicholson, commanding the frigate Constitution, was ordered (13th August) to cruize from Cape Henry to our southern extremity, with four revenue cutters under his command.

Captain Truxtun, (10th August,) was required to proceed with the Constellation and the Baltimore, captain Phillips, to the Havanna, to take about sixty American vessels, then lying in that port, under convoy, and conduct them safe to the United States. This service was performed to the entire satisfaction of the government, and captain Truxtun received the expression of its approbation conveyed in a letter from Mr. Secretary Stoddert. The importance of this service may be estimated by the fact, that without convoy, these American vessels, estimated with their cargoes to be worth little short of one million of dollars, would have had no chance of escape, as there were several French cruizers in the same port prepared to follow them out.

September, captain Murray, with the Montezuma, brig Norfolk, captain Williams, and schooner Retaliation, lieutenant Bainbridge, was ordered to proceed to the West Indies, to

cruize near Gaudaloupe, St. Martins and Porto Rico, and to pursue such course as his own judgment, should dictate to accomplish the views of the government in sending him out, viz: to protect our commerce, and capture French armed vessels. Our other public vessels of war were employed on various cruizing grounds, with the same objects, in view, returning occasionally into port, to refit and water, until December 1798, when the following general arrangements were made for their employment during the winter and spring;

To rendezvous at Prince Rupert's bay, and cruize to the windward of St. Christopher's, as far as Barbadoes and Tobago:

The United States, of		44 guns	Com. John Barry,
Constitution,		44	Capt. Saml. Nicholson,
George Washington,		24	Capt. Patrick Fletcher,
Merrimack,		24	Capt. Moses Brown,
Portsmouth,		24	Capt. Danl. M'Niel,
Herald,		18	Mas. comdt. C. C. Russel,
Pickering,	*Revenue Cutters.*	14	Lt. comdt. Edw. Preble.
Eagle,		14	Capt. H. G. Campbell,
Scammel,		14	J. Adams,
Diligence.		12	J. Brown,

To rendezvous at St. Kitts, and cruize as far leeward as Porto Rico, paying attention to St. Martins and the Virgin Gorda;

Constellation of	36 guns,	Com. Thos. Truxtun,
Richmond,	18	Capt. Saml. Barron,
Baltimore,	20	Capt. Isaac Phillips,
Norfolk,	18	Capt. Thos. Williams,
Virginia, *Cutter*,	14	Francis Bright.

To guard the windward passage between Cuba and Hispaniola.

Ganges, of	24 guns,	Com. Thos. Tingey,
Brig General Pinckney,	18	Capt. Sl. Hayward,
Cutter South Corolina,	12	J. Payne.

To cruize in the vicinity of Havanna, and protect that trade between the Morea Castle and the Matanzas:

The Delaware, of		20 guns,	Capt. Stephen Decatur, Sen.
Revenue Cutters.	General Greene,	10 guns,	Geo. Price,
	Governor Jay,	14 guns,	J. W. Leonard.

By this arrangement, captain Murray was left, unintentionally to cruize alone under a roving commission. The Norfolk, was ordered to join commodore Truxtun's squadron, under the impression, that captain Murray would have returned to the United States, as he was authorized to do, and as it was ex-

pected he would do, from his not having taken with him, a supply of provisions more than sufficient to last his own ship and the schooner Retaliation, till some time in December. The schooner Retaliation was captured on the 20th November, and thus the Montezuma was left alone. Captain Murray felt hurt and expressed his dissatisfaction at the Norfolk having been ordered from his command; but this was explained to him by Mr. Secretary Stoddert, in a letter dated, (13th March, 1799,) in a manner which, it is believed, removed every unpleasant impression. In that letter, the Secretary observes: "It is true, that in captain Truxtun's instructions, I mentioned the Norfolk as one of the vessels which was to join him, but to join him after the end of the cruize with you, &c." "The President has repeatedly expressed his entire satisfaction with your conduct, and the high opinion you had inspired him with, of your solid judgment and solid worth. It is well known to him and to your country in general, that your services have been highly important, and if they have not been attended with brilliancy, the fault has not been in your want of enterprize or bravery."

In March, 1799, commodore Barry was instructed to employ a part of the force under his command, to protect our commerce to St. Domingo; our trade to that Island being then likely to be opened; and in April following, as his health had been impaired, and it was expected he would return to the United States, he was directed in that event, to order all the vessels under his command, excepting his own, and the Constitution, and George Washington, to join Commodore Truxtun.

IN OBEDIENCE to a Resolution of the House of Representatives of the 18th December, 1798, Mr. Secretary Stoddert, on the 24th, gave the information contained in the following tables:

The following Tables exhibit in a condensed form, the Estimates submitted by the Secretary. *These are the first Estimates prepared by the Navy Department.*

NUMBER of Officers and Crews of the various classes of Vessels, their pay and rations.

Description of Officers and men.	Monthly pay.	No. rations pr day.	Ship of 44 guns.	36 guns.	32 guns.	24 on the gun-deck & 6 or 8 on the qr. deck.	24 guns.	18 guns.	Schooner Retaliation.
Commander,		6	1	1	1	1	1	1	1
Lieutenants,	40	3	4	3	2	3	2	2	1
Lieut. Marines,	30	2	2	1	1	1	1	1	
Sailing master,	40	2	1	1	1	1	1	1	
Master's Mates,	20	1	2	2	2	2	2	2	2
Midshipmen,	19	1	8	8	6	6	4	4	1
Purser,	40	2	1	1	1	1	1	1	
Surgeon,	50	2	1	1	1	1	1	1	
Surgeon's Mates,	30	2	2	1	1	1	1	1	1
Clerk,	25	1	1	1	1	1	1	1	
Carpenter,	20	2	1	1	1	1	1	1	
Carpenter's Mates,	19	1	2	2	2	1	1	1	
Boatswain,	20	2	1	1	1	1	1	1	
Boatswain's Mates,	19	1	2	2	2	2	2	2	1
Yeoman of gun room,	18	1	1	1	1	1	1		
Gunner,	20	2	1	1	1	1	1	1	
Quarter Gunners,	18	1	11	9	8	6	6	5	
Gunners Mate,	19	1							1
Coxswain,	18	1	1	1	1	1	1		
Sail-Maker,	20	2	1	1	1	1	1	1	
Cooper,	18	1	1	1	1	1	1	1	
Steward,	18	1	1	1	1	1	1	1	1
Armorer,	18	1	1	1	1	1	1	1	
Master at Arms,	18	1	1	1	1	1	1	1	
Cook,	18	1	1	1	1	1	1	1	1
Chaplain,	40	2	1	1	1				
Able Seamen,	17	1	120	100	60	60	60	46	20
Ordinary Seamen,	12	1	150	115	79	62	36	30	15
Boys,	8	1	30	30	30	30	24	12	10
Marines, including serjeants and corporals,		1	50	50	50	30	25	21	15
Privates.	6	1							
			400	340	260	220	180	141	70
Pay of Commanders.			$75 Pr. Month. 6 rations pr. day.	$75 6 rations.	$75 6 rations.	$75 6 rations	$75 6 rations.	$75 6 rations.	$50 4 rations.

PROVISIONS REQUIRED FOR EACH VESSEL, FOR TWELVE MONTHS.

DESCRIPTION OF PROVISIONS.	Prices estimated at,	QUANTITY REQUIRED FOR,									
		A 44 gun ship.	A 36 gun ship.	A 32 gun ship.	Of 24 guns on the gun deck, & 6 or 8 on the quarter deck.	Of 24 guns.	Of 18 guns.	Schooner Retaliation.	Galley.	Cutters. Of 14 guns.	Cutters. Of 10 guns.
Beef, barrels of, - -	$13	310	265	204	170	140	108	54	22	54	26
Pork, barrels of, -	17	310	265	204	170	140	108	54	22	54	26
Molasses, gallons of, -	75 cts.	1,220	1,040	800	670	550	430	215	86	215	100
Rice, cwt. - -	$4	144	123	96	80	65	50	25	10	25	12
Butter, lbs. - - -	15 cts.	1,930	1,640	1,270	1,060	870	675	338	135	338	160
Cheese, lbs. - -	12 cts.	15,000	12,750	9,800	8,250	6,900	5,250	2,625	1,050	2,625	1,300
Candles, lbs. - -	20 cts.	1,220	1,040	800	670	550	430	215	86	210	100
Vinegar, gallons, -	30 cts.	1,730	1,470	1,140	950	780	605	300	120	300	150
Beans, bushels, - -	80	240	204	150	132	110	84	42	16	92	20
Rum, gallons, - -	1	8,650	7,750	5,930	4,757	4,106	3,030	1,515	606	1,515	770
Soap, lbs. - - -	13	1,444	1,228	948	790	650	505	250	100	505	120
Flour, barrels, -	$8	53	45	35	29	24	19	9	4	19	6
Meal, barrels, - -	4	49	42	32	27	22	17	8	3	17	5
Bread, cwt. - -	$3 1-3	1,022	870	674	562	460	360	180	70	360	82
Lamp oil, gallons, -	1	145	145	96	80	65	50	25	10	65	15
Potatoes, bushels, -	50	730	620	480	400	330	250	125	50	330	60
Salt fish, cwt. - -	6	177	124	115	96	80	60	30	12	80	15

RECAPITULATION of the results of the estimates, for pay and subsistence, (including marines,) and provisions; and general estimates of medicines, hospital stores, &c. and contingencies; showing the whole estimated annual expense of each description of vessel.

Description of Vessel.	For pay and Subsistence.	For Provisions.	For medicines, hospital Stores, &c	For contingencies.	Whole amount of annual expenses.
44 gun Frigate,	75,009	28,271 89	2,500	20,000	125,780 89
36 - - - - -	63,337	24,346 84	2,300	16,000	105,984 4
32 - - - -	49,176	18,826 41	2,000	14,000	84,002 41
24 guns on the gun deck & 6 or 8 on the quarter.	43,523 60	15,525 13	1,600	12,000	72,648 73
24 guns, - - - -	37,432 60	12,976 83	1,400	12,000	63,809 43
18 guns, - -	30,910	9,879 10	1,200	10,000	51,989 10
Schooner Retaliation,	13,005	4,932 55	900	6,000	24,837 55
Galley, - - - -	6,150 40	1,980 08		1,200	9,330 48
Cutter of 14 guns, -	11,952	4,932 55	600	1,500	18,984 55
Cutter of 10 guns, -	5,988	2,425 93	500	1,500	10,413 93

STATEMENT by the Secretary of the Navy, showing the state of the Navy, 24th December, 1798.

	Names of Vessels.	Tonnage.	No. of guns.	No. of men.	Where built or purchased.	By whom commanded
Built by the public.	IN SERVICE.					
	Frigate U. States,	1,576	44	400	Philadelphia, -	Jno. Barry,
	— Constitution,	1,576	44	400	Boston, - - - -	Samuel Nicholson,
	— Constellation,	1,265	36	340	Baltimore, - -	Thos. Truxtun,
	Ship Portsmouth,	590	24	220	Portsmouth, - -	Daniel M'Niel,
	Brig Pinckney,	190	18	140	Charleston. - -	Saml. Heyward,
	— Norfolk.	200	18	140	Norfolk, - - -	Thos. Williams,
Purchased by the public.	Ship Ganges,	504	24	220	Philadelphia, -	Thos. Tingey,
	— Geo. Washington	624	24	220	Providence, R. I.	Patrick Fletcher,
	— Delaware,	321	20	180	Philadelphia, - -	Stephen Decatur,
	— Montezuma,	347	20	180	Baltimore, - -	Alex. Murray,
	— Baltimore,	422	20	180	Baltimore, - - -	Isaac Phillips,
	— Herald.	279	18	140	Boston, - - -	James Sever,
Built by the citizens.	Ship Merrimack,	530	24	220	Newburyport, -	Moses Brown,
	Brig Richmond,	200	18	140	Norfolk, - - -	Saml. Barron,
Building by the public.	BUILDING—					
	Ship Genl. Greene,	530	24	220	Warren, R, I. -	Christr. R. Perry,
	— Connecticut,	530	24	220	Middletown, Con.	Moses Tryon,
	— Adams,	530	24	220	New-York, - .	Rd. Val. Morris.
	Frigate - - - -	1,265	36		Portsmouth, N. H.	
	Ditto - - - -	1,500	44		New-York, - - -	
	Ditto - - - -	1,500	44		Norfolk, - - -	
Building by the citizens.	Ship, - - - -	500	24		Boston, - - - -	
	Ship, - - - -	590	32		Salem, - - - -	
	Ship, - - - -	530	18		Baltimore, - - -	
	Ship, - - - -	530	18		Baltimore, - -	
	Ship, - - - -	590	24		Charleston, - -	
	Frigate, - - -	1,130	44		New-York, - -	
	Frigate, - - -	1,130	44		Philadelphia, - -	
	Schr. Retaliation, in service, - - - - -	107	14	76	Captured, - -	Wm. Bainbridge,
	REVENUE CUTTERS.					
	Brig Eagle, - - - -	187	14	70	Philadelphia, -	Hugh G. Campbell
	Pickering, - - -	187	14	70	Boston, - - - -	Jonath. Chapman.
	Schr. Governor Jay, -	187	14	70	New-York, - -	Jno. W. Leonard,
	Virginia, - - -	187	14	70	Norfolk, - - -	Francis Bright,
	Sloop General Greene,	98	10	34	Philadelphia, -	George Brice,
	Schr. Diligence, - - -				Philadelphia, - -	Jno. Brown,
	Scammel, - - -				Portsmouth, N. H.	Jno. Adams,
	South Carolina, -				Charleston, S. C.	James Payne,
	8 Galleys, viz: 2 in South Carolina, 4 in Georgia, & 2 in North Carolina.					

Of the vessels in the preceding table, some were built by the public, under the direction of agents, without particular contracts; others under contract. The following table shows the vessels built in each way, and the cost of those that were purchased.

Built and building by the public. under the direction of agents.	*Built and building by the public, under contracts.*		*Vessels purchased, and their cost.*	
		Per ton.		
Frigate United States,	Brig Pinckney, *a*	$30	Ship Ganges,	$58,000
— Constitution,	Ship Portsmouth,	30	— Delaware,	45;000
— Constellation,	Ship Connecticut,	30 50	— Montezuma,	28,000
Brig Norfolk,	Ship Adams,	34 50	— Baltimore,	27,000
Ship General Greene,	Cutter Gov. Jay,	26 31	— Herald,	21,000
Frigate at Portsmouth	— Pickering,	28 54	— G. Washington,	40,000
Do. at New-York,	— S. Carolina,	28 50		
Do. at Norfolk,	— Scammel,	30		
Cutter Gen. Greene,				
— Virginia,				
— Eagle,				
— Diligence.				

The following are the estimates of the expense of building and equipping a forty-four, thirty-six, and twenty-four.

	a 44	*a* 36	*a* 24
Timber, and every other material of wood, except masts, - - -	50,000	39,760	
Labor for building and fitting the hull and rigging the ship, - - -	80,000	63,400	23,449 50
Smith's work, including iron,	21,000	17,000	5,832
Anchors, - -	2,788 80	2,290	972
Masting, - - -	5,776	4,580	1,458
Sailmaker's bill, -	12,000	8,000	4,009 50
Carver's bill, - -	800	750	486
Tanner's bill, - -	500	382	160 38
Painter's bill, - -	1,444	1,145	486
Cooper's bill, - -	3,419 74	2,700	850 50
Blockmaker's - -	2,160	1,717	729
Boatbuilders, - -	1,000	1,000	325 62
Cordage, - - -	37,000	29,350	8,748
Plumbers, - -	1,444	1,145	486
Ship chandlery, - -	5,776	5,152	2,187
Turners, - -	577 60	458	194 40
Woollens for sheathing, -	600	480	364 50
Making gun carriages,	912	848	9,720
Cannon and military stores,	28,880	22,900	
Contingencies, kentlege, camboose, &c. - -	18,921 86	15,000	12,636
Sheathing copper, nails, and rudder braces, - -			5,832
	275,000	218,057	78,926 40

The last item was, it is presumed, inadvertently omitted, in estimating the cost of building a forty-four and a thirty-six. It must have been designed to copper them. If the necessary copper be added to the above estimate, it would make the cost of a forty-four at least 295,000 dollars, and that of a thirty-six, 235,000 dollars.

CHAPTER V.

Secretary's report, of 29th December, 1798—Report of committee thereon—Effect of arming on ensurance—Exports—Imports—Tonnage of merchant shipping and value—Reflections—Measures recommended by a committee of Congress—Proceedings of Congress upon the report of the Committee.

The Subject of a naval establishment for the United States, with the letter of the Secretary of the Navy, of 24th December, 1798, to the Speaker of the House of Representatives, was referred to a Special committee—who called upon the Secretary of the Navy for further information upon the subject, and received from him, the following communication:

NAVY DEPARTMENT,

29th DECEMBER, 1798.

SIR.—"I have given to the inquiries you have done me the honor, as chairman of a committee of the House of Representatives, to make of me; all the consideration my desire to comply promptly with the wishes of the committee, would permit; and now proceed, with great diffidence, to submit the result.

"The protection of our coast; the security of our extensive country from invasion, in some of its weaker parts; the safety of our important commerce; and our future peace, when the maritime nations of Europe, war with each other—all seem to demand, that our naval force should be augmented; so much augmented indeed, as to make the *most powerful nations, desire our friendship—the most unprincipled, respect our neutrality.* The peaceful character of America, will afford to the world sufficient security, that we shall not be easily provoked to carry the war into the country of an enemy; and it well becomes the wisdom of America, to provide a cheap defence, *to keep it from our own.*

"Twelve ships of seventy-four guns, as many frigates, and twenty or thirty smaller vessels, would probably be found (our geographical situation, and our means of annoying the trade of the maritime powers, considered,) a force sufficient to insure our future peace with the nations of Europe. It would not, perhaps, be hazarding too much, to say, that had we possessed this force a few years ago, we should not have lost, by depreda-

tions on our trade, *four times the sum necessary to have created, and maintained it, during the whole time the war has existed in Europe.* If we do not profit by experience, and put ourselves in a situation to resent insult, and punish aggression, nothing is more likely than that in less than half a dozen years, another occasion may be presented, for a repetition of the same mortifying observation. In another, and still more interesting view of this subject, mutual safety, was a leading motive, and must ever remain, a strong cement of our Union. Whether this security can be afforded, unless we are able to command our own coast; and whether the union of all the states can long be preserved without it, are questions, which merit the most serious and attentive consideration of American legislators. I forbear to dwell on this fruitful—perhaps delicate topic.

"However, to attend to our more pressing concerns—We cannot feel entirely secure that we are not to be exposed to great calamities from the ambition or animosity of France, until a considerable addition be made to our naval force. If twelve ships of 74 guns are added to our navy, an invasion of any part of our country would be rendered so difficult that it would scarcely be attempted; for it is not possible to conceive, that France could promise herself any advantage by an invasion of this country, equal to the enormous expense, and still more enormous risk, if we should be so prepared to resist her. She would be obliged to employ more than double the number of ships of equal force, to convoy her armies, provisions and stores, and to keep the communication open between her armies, and her own country. France can calculate, and will calculate the loss and probable gain of her enterprizes. When she finds that she cannot deceive us, that she cannot arm our citizens, to carry on her work of subjugation!—Insolent and unfounded expectation!—That we are determined on manly resistance;—and that we take vigorous measures to put ourselves in a proper posture of defence:—Even France, with all her pride, and all her heroism, will consult her interest, and avoid war with America; and like other nations, she will discover, that it will,not only be just, but politic, to indulge us in our favorite wish of preserving peace with all the world.

"Thus then, in whatever view the subject is considered: Whether our object be to prevent invasion—to protect our commerce—to obtain a speedy and proper peace—to maintain peace hereafter—or by affording security to every part of our country, to guard against the long train of ills which must result from disunion; the wisest, cheapest, and most peaceable means of obtaining the end we aim at, will be prompt and vigorous measures for the creation of a Navy, *sufficient for defence, but not for conquest.*

"The United States are doubtless able to bear any expense, necessary for their present safety, and their future tranquillity.

No country increases as fast in population and resources; and no country can incur a debt, with such an absolute certainty of discharging it, without laying new burthens on the people. Our revenue, arising from the impost and other sources, must increase in proportion to the increase of population; and as the increase of the latter is certain, no country ever had less to fear, from the consequences of incurring any debt, necessary for defence and safety.

"On the subject of procuring ships of 74 guns, we probably have it in our option to buy them, or to build them. The former will be the most expeditious mode of procuring them, but the latter, if the pressure of our affairs will admit, will be the most honorable, and the most advantageous for our country. If we buy them, from a foreign nation, it is not to be expected, that we shall be able to obtain those of the best quality; and the sum given for them, will not be kept at home, and distributed among our citizens, but will operate against us, like an unfavorable balance of trade. My own idea is, that we certainly ought to build the vessels in preference to purchasing them; that immediate measures should be taken to secure all necessary timber; but, that the President should be authorized, to obtain as the exigency of our affairs may require, twelve ships of seventy-four guns, by purchase or otherwise. If it should be found necessary to procure them sooner than they can be built, the timber may be preserved by docking, until those purchased decay—or for a century, if it should not be sooner wanted.

"The estimates herewith, will show the expense of building and equipping, twelve ships of seventy-four guns; and six brigs or schooners, to mount, not exceeding eighteen guns, the latter would be highly useful, in scouring the West Indies, and we have not a sufficient proportion of vessels of this size. Three of the largest of the twenty-four gun ships, might be converted into frigates of thirty-two guns. The whole annual expense of maintaining the navy, would then be—

	$5,383,540 6
The annual expense of the existing Navy is	2,434,261 10
The difference would be, the annual expense of the proposed addition, - - - -	$2,949,278 96

"In times of peace, a small proportion of this sum, would be sufficient to keep the ships in a state of preservation. Every material article, for the building and equipment, of ships of war, copper excepted, and probably copper also may be procured, the growth or manufacture of our own country. It is true, that we have heretofore used cordage, made of hemp of foreign growth, and imported canvass; and these articles constitute, if wear and tear be included, one third of the expense of building, equipping, and refitting, our vessels of war. But manufactories of canvass, have been heretofore established in the eastern states, and with proper public encouragement, may be revived,

and made to supply at least the public demand; and it is most certain, that any quantity of hemp can be raised, on the Ohio and Mississippi, the Susquehanna, the Potomac, James River, and other parts of the United States, if the growers of it are assured of a ready market, and at a price, less than that given for imported hemp; though if the prices of cordage and canvass, the entire growth and manufacture of the country, should be found at first a little dearer, than the imported, the good policy of paying the difference, to our own citizens, to render ourself independent of foreign countries, for articles so essential to our defence, cannot for a moment be doubted.

"Timber can at present, be had in almost every port of the United States, but in the greatest abundance, and of the best quality, on the Chesapeake Bay, and the waters which empty into it, and in the southern states. The live oak of Georgia, is thought to be almost indispensable in the construction of our largest ships, to be used in those parts, most subject to decay; but the white oak of the Chesapeake is not greatly inferior. It is however, highly desirable, to use the live oak of Georgia as long as it can be obtained, more especially in the ships built eastward of the Chesapeake; and by a proper mixture of this timber with that of the growth of the country, good vessels may be built in every part of our country.

"The islands on the coast of Georgia, on which the live oak is found, are supposed to be more healthy than the main land near the coast; they are also thought to be very important for the production of cotton; hence this valuable timber is becoming scarce every where, convenient to water transportation. Two methods suggest themselves for obtaining supplies, beyond the immediate demand. To buy one or two of the most valuable islands, and cause the timber to be preserved for the future uses of the navy, or to purchase the timber as the islands are cleared by the owners, and have it transported to the places fixed on for building our ships, and docked until it be wanted. With respect to a purchase, the lands are held at prices greatly beyond what was the supposed value of them, a few years ago; and it is believed they have become less valuable for public purposes, in consequence of the efforts which have been made, and are daily making, to clear them for cultivation.

"On the subject of other kinds of timber, possibly when it is seen by the citizens, that it is worth preserving, it may be sufficient to trust in a great degree, to their attention to private interest, for the preservation of a quantity equal to the public demand. It would however, be but provident to expend one hundred thousand dollars, in a way to secure enough of the white oak and yellow pine, both of which are indispensable in the construction of good vessels, to last the public, in aid of supplies from individuals, for ages; one hundred thousand dol-

lars could be so laid out; and I believe the expenditure would be judicious.

"No extraordinary means are necessary to be used for procuring naval and military stores, except the articles of hemp, canvass and copper. Cannon can be made in many of the states, equal to any that could be obtained from foreign countries, also muskets and bayonets, pistols, swords, boarding pikes, and indeed every other article necessary for ships of war.

"Although copper mines are found in many parts of the country, yet the most certain means of procuring present supplies will be by importation. The enterprizing spirit of the merchants, has heretofore furnished enough for the public demand, and may be trusted for future supplies, so far as may be necessary for the ships now contemplated to be added to our navy. It is to be presumed, that before more ships are wanted, and possibly before any that may now be authorized, are in a state to require the copper, means may be devised for obtaining it in the United States.

" Docks, will be highly necessary in repairing our ships, to avoid the tedious, expensive and sometimes dangerous operation of heaving down. They can undoubtedly be made in the eastern states, where the tides rise very considerably: probably in New Hampshire, Massachusetts, or Rhode Island.—Whether they can be made with equal advantage, or to answer valuable purposes, to the southward of Rhode Island, or New York, I cannot form any accurate judgment, from any information I possess; though it would unquestionably be a great public advantage, to have a dock, near the entrance into the Chesapeake Bay, and another still further south, if circumstances will admit.

"Docks for repairing ships ought to be convenient to the sea, and yet not easily accessible to an enemy. Yards for building the ships, where large quantities of materials would be deposited, (the destruction of which would always be an object with an enemy) should be, according to the opinion of Mr. Humphreys, a gentleman of considerable science, and experience in naval architecture, 'in the vicinity of a commercial city, for the convenience of procuring able workmen, within the reach of good white oak timber, in fresh water, where timber may be deposited without danger from the worm: on a river running east and west, or nearly so, with a high bank, and where the harbor is secure from freshes, and stormy weather, out of reach of an enemy, and near a good stream of water, eighteen or twenty feet higher than the surface of the river, for the convenience of making lock docks, sawing timber, and for many other valuable uses.'

"Perhaps the most expeditious mode of building ships immediately wanted, will be to set them up in several different places, and by such means avail ourselves of the resources of dif-

ferent parts of the country. I am by no means certain that this method will not be the most economical, under present circumstances, and with little seasoned timber in the country; and it will certainly distribute more equally among the states, the advantages which may arise from supplying the materials and the labor. But the subject being new, I am not possessed of sufficient information, to state, with precision, where these places ought to be. At a future time, when the pressure may be less, and our experience greater, two or three places, uniting the greatest number of advantages, may be fixed on for building all the large ships of the United States.

"The mode heretofore pursued for obtaining naval stores, for the ships in public service, has been, to get such supplies on the spot, as could be procured on moderate terms by the agent for building or equipping the ship, sending from Philadelphia, or elsewhere, such articles only, as could not be so supplied. Until it can be ascertained, what places should be selected for permanent building yards, no great inconvenience will result, from pursuing the mode already adopted, for supplying the naval stores. Deposits of masts, to supply, quickly, vessels which may come in, dismasted, will be made at Boston, and Norfolk. Measures indeed have already been taken for this purpose; and like deposits must be made at New York or Rhode Island; other articles required by vessels in distress, can generally be had in these places, and in our other commercial cities.

"The business of naval armament being new in this country, and complicated, it is impossible in this early stage, to devise a perfect system on the subject. Every day's experience will add to the stock of knowledge possessed by the country; and it may be best for the public interest, that Congress at their present session, should rely a little more on executive discretion than may hereafter be necessary. At the present session it may be expedient and sufficient, that the President be authorized to procure by purchase or otherwise, twelve ships of seventy-four guns, and six brigs or schooners, to mount not exceeding eighteen guns; to take measures for procuring and depositing in docks of fresh water and in places of safety, such quantity of live oak timber, proper for ships of seventy-four guns, and frigates, not exceeding in the whole, such parts of the frames of twelve seventy-four gun ships, and as many frigates as may be deemed essential to be of this species of timber; to cause to be laid out in securing other kinds of timber for the future uses of the navy, a sum not exceeding one hundred thousand dollars; and to cause not exceeding three docks to be erected for the convenience of repairing ships. For so much of these objects as can be accomplished before the next session of Congress, an appropriation of one million two hundred thousand dollars, with a promise of further appropriations, may be sufficient.

"I have suggested no plan for the encouragement of the manufacture of sail cloth. This subject, will be better understood in Congress. A certainty of sale, as already observed, will be encouragement enough for the growers of hemp.

"I shall take the liberty to lay before you, in a few days, such alterations in the rules for the government of the Navy, as have been suggested by some of the most experienced captains, with my own observations.

"I have the honor to be, &c, &c.

"BEN. STODDERT."

Estimate of building and equipping a 74 gun ship, of 1620 tons, exclusive of military stores, December, 1798.

Live oak timber,	40,000
White oak, and pine,	30,000
Labor,	85,100
Cables, rigging, cordage, &c.	32,400
Smith's work,	30,400
Anchors,	3,200
Marling,	5,500
Sailmaker's bill, two suits, including canvass,	16,200
Joiner's bill, including stuff,	7,800
Carver's bill,	1,620
Rigger's bill,	2,240
Tanner's bill,	700
Painter's bill,	3,240
Cooper's bill,	4,860
Blockmaker's bill,	3,240
Boatbuilder's bill,	1,620
Plumber's bill,	2,430
Ship chandlery,	9,720
Turner's bill,	1,215
Copper bolts,	10,960
Sheathing copper, nails, &c.	17,740
Woollens for sheathing,	1,215
Contingencies,	31,600
	$342,000

The annual expense in service, was estimated as follows:

Pay and subsistence,	126,029 20
Provisions,	45,911 91
Medicines and hospital stores,	5,000
Contingencies,	40,000
	$216,941 11

By the estimates, the proposed addition to the Navy would cost annually $2,949,278 96; and the whole annual expense, with such addition, would be $5,383,540 6, viz:

Annual expense of the existing establishment		$2,434,261, 10
Proposed addition:		
12 74's, at 216,941 11, - -	$2,603,293 32	
6 brigantines of 18 guns, at $51,989 10, - -	311,934 60	
Extra annual expense, attending converting 3 ships of 24 guns, into 32 gun frigates. -	34,051,04	
		2,949,278 96
Making the whole annual expense,		$5,383,540 06

With these papers before them, the committee of the House of Representatives, aware of the great responsibility which had devolved upon them, and apprised of the powerful opposition which would be made to any report they might submit, whether in favor of, or against an increase of the Navy, prepared themselves, by a thorough consideration of the subject, and a minute investigation of all the national interests involved therein, to make such a report as might be defended, and sustained.

Prior to the sailing of our ships of war, and before the merchant ships were permitted to arm, for their defence, our trade was in such jeopardy, at sea, and *on the coast*, from French privateers, that scarcely a vessel could escape their vigilance: "ruin stared in the face all concerned in shipping, and it was difficult to get property ensured."

The following table will show the rates of ensurance in Philadelphia, before, and after the sailing of our ships:—

ENSURANCE TO AND FROM	Before our war, ships sailed.		After our war, ships sailed.	
	out.	home.	out.	home.
Russia,	22½	22½	12½	12½
Sweden,	20	12½	12½	12½
Denmark and Hanse towns,	17½	17½	10	10
Holland,	20	17½	15	12½
Great Britain,	17½	17½	10	10
Spain,	17½	17½	12½	12½
Portugal,	15	15	10	10
Morocco,	20	20	12½	12½
Italy,	27½	27½	17½	17½
China and the East Indies,	20	15	10	10
West Indies,	17½	17½	12½	12½
Africa,	20	20	12½	12½

The *Exports* from the United States, from the 1st October, 1797, to the 30th September, 1798, amounted to - - - - -	$61,527,097
The *Importations* into the United States during the same period, amounted to about	63,000,000
	$124,527,097

And the tonnage of merchant shipping of the United States then employed, was:

	tons.	*95ths.*
Registered tonnage employed in *foreign* trade,	603,376	37
Enrolled tonnage employed in the *coasting*, trade,	227,343	79
Enrolled tonnage employed in the *whale* fishery,	763	09
In the cod fishery, - - - - - -	35,476	81
Licensed vessels under 20 tons:		
In the coasting trade, - - - - - -	24,099	43
In the cod fishery, - - - - - -	7,269	37
Making the whole aggregate tonnage of every description, - - - - - - -	$898,329	01

If the vessels employed in foreign trade and in the whale fishery, be estimated at thirty-six dollars per ton; and the residue at twenty-six dollars per ton; which is conceived to be, rather under, than over their average value, then the value of the tonnage of the United States, employed in the year 1798, would be as follows:

Foreign trade, and whale fishery, 604,139 46-95 at $36,	21,749,021 43
Cod fisheries, and coasting trade, 294,189 50-95 at $26,	7,648,914 68
Aggregate value of the whole tonnage,	$29,397,936, 11

The whole cost of the Navy, including the building, equipping, and arming of the ships, and every expense of keeping them in service, from the year 1794, when the six frigates were authorized, to the end of the year 1798, as appears by the accounts and vouchers adjusted and settled at the Treasury, was:

1794, - - - -	61,408 97
1795, - - - -	410,562 03
1796, - - - -	274,784 04
1797, - - - -	382,631 89
1798, - - - -	1,381,347 76
	$2,510,734 69

On referring to the table of ensurance, previously mentioned, it will be found, that the effect immediately produced, by affording protection to our commerce, was a fall in the price of

ensurance, of 5, 7½, and 10 per cent. But avoiding any thing like exaggeration, and estimating it at 6 per cent. upon the whole amount of exports and imports, at 5 per cent. upon the tonnage employed in foreign trade, and at 1 per cent. upon that employed, in the cod fishery and coasting trade, and the result will show the value of the protection afforded, so far as regards the amount of the property of our citizens afloat, thus:

Imports and exports, $124,527,097, at 6 per ct.	$7,471,625 82
Foreign trade, including the wale fishery, $21,749,021 43, at 5 per cent. - -	1,087,451 07
Cod fishery and coasting trade, 7,648,914 68 at 1 per cent. - - - - -	76,489 14
Value of the protection -	$8,655,566 05

When this amount is contrasted with the actual *cost* of the protection, the policy of affording it, will, it is apprehended, cease to be a question. Were we to charge this protection with the *cost* of building and equipping the ships, as well as the expense of supporting them in service, we have, as has heretofore been shown, only about two millions and a half of dollars against it, and more than eight millions six hundred thousand in its favor; but it is not correct to charge the whole cost of building and equipping the ships, because at the end of the year, they were probably nearly as good as at the commencement of it, and in a situation to render similar protection for a series of years. The true ground would be, to charge against the protection, the amount of the deterioration of the ships while they were affording it, and this would reduce the cost of the protection to less than a million and a half.

But we should do great injustice to the subject, were we to confine the value of this protection to the saving it produced in the rates of ensurance, If it had not been afforded, a vast amount of the *principal* on which this ensurance is calculated, would have been taken from us. How many ships, with their cargoes, we should have lost, it is obviously impossible to calculate; but it is a fact, that French privateers were hovering upon our coast, for the express purpose of seizing them. One, it will be remembered, Le Croyable, was taken near the capes of the Delaware, *within soundings*. Had we have adopted a different policy, and left commerce to protect itself, without authority to arm the whole would unquestionably have been prostrated; and such of our ships as should have escaped the vigilence of the French cruizers, would have been detained in port, probably until they would have become unworthy of repair. The whole mercantile community of the United States would have been involved in the most serious embarrassments, probably ruined; and the government would have lost a revenue from imposts, exceeding, at that period, seven millions one hundred thousand dollars.

The sound statesman and patriot will readily find other and *precious* credits for this protection. He knows and *feels* that it sustained the *honor* of the nation, affording security at home, and exemption from insults and robberies abroad.

When ensurance falls, the price of ensurance stock generally depreciates with it; but on this occasion the general rule was reversed, and stock rose in value higher than at any former period. Protection against capture being afforded to the ensurers, reduced the *rate* of ensurance, and enabled the ensurance companies to do a more extended business upon less capital. Rates of ensurance are regulated by the *risks* incurred; and when these risks, by the protection afforded to commerce were reduced ensurance fell, and continued falling in proportion to the reduction of the risks. Thus the ensurance companies were never in a more prosperous condition, than they were, when ensurance was at its minimum. They could then prudently ensure to a much greater amount than they could when they had to incur the risks of capture, as well as those of the sea; and it will be at once conceded, that a small premium upon a very large amount, when it will cover any *possible* loss, is far preferable to a high premium upon a comparatively small amount which may prove insufficient to cover the *probable* losses, a certain moderate profit being preferable to an uncertain exorbitant one. Our merchants experiencing the effects of this protection, embarked in more extensive enterprizes, and were consequently enabled "to do more on less capital and with more certainty."

Every individual in the community is thus either direotly or indirectly concerned in the risks of ensurance; and a wise government will always adopt such measures as may appear best calculated to diminish them. Supposing that ensurance upon articles *imported for consumption* was thirty per cent, every *consumer* would obviously have to pay ten per cent. more than he would have to pay if the ensurace was only twenty per cent: Supposing the ensurance upon articles of *export* were twelve per cent. the *grower* of the production exported might reasonably calculate on receiving a higher price, than he could expect if the eusurance were twenty per cent. When the rate of ensurance falls, foreign productions fall, and home productions rise in value. The less ensurance paid on imported and exported articles, the cheaper can the *importer* afford to sell them, and the higher can the exporter afford to give for them; his prices are diminished in the one case, and increased in the other, in proportion to the difference in the rates of ensurance.

When the farmer can purchase foreign productions at reduced and sell his own at advanced, prices, he obvious-

ly gains in two ways, and these advantages are more or less affected by reduced rates of ensurance.*

The committee who had this subject under consideration, found that these advantages had actually been experienced to a very great extent from the protection afforded to commerce; but great as the benefits had been, they thought that they might be still further improved by rendering that protection still more perfect, and with these views they recommended,

That —— docks should be established.

That provision should be made for the purchase of timber.

That —— ships to carry not less than seventy four guns, and sloops of war, of not more than eighteen guns, should be authorized.

That the number of guns on board any ship then in service, might be augmented and that such of the revenue cutters, as the President should think fit, might be taken on the naval establishment.

The resolutions submitted by the committee were advocated and opposed with great earnestness and ability. The result however was the passage of the following laws:

1798, 25th February, "An act for the augmentation of the navy, authorizing the building within the United States of six ships, to carry not less than seventy four guns each; the building or purchasing within the United States, of six sloops of war, of eighteen guns each, and the manning and employing them as soon as may be; and appropriating one million of dollars, in part of the necessary expenditures to be incurred."

Also authorizing the augmentation of the force of any vessel in service, by allowing an additional number of guns and men; and appropriating a sum not exceeding thirty-five thousand dollars for that object.

Also, to place on the naval establishment, all or any of the revenue cutters, which had been increased in force, and employed in the defence of the sea coast.

25th February, "An act authorizing the establishment of docks," authorizing the erection of two docks, in suitable places, under the direction of President of the United States; and appropriating fifty thousand dollars towards effecting that object.

25th February, "An act authorizing the purchase of timber

*It will be understood, whilst the effect of the rate of ensurance, upon both imports and exports, is taken into view, that, their relative prices, dependent on the various causes which create fluctuation, are not adverted to. Ensurance is only *one* of the charges on commerce. A superabundance of any one article whether it be of home growth or foreign, causes a depreciation, unless a demand for the same should equal or surpass, from some peculiar circumstances, the overplus in market, in which case it receives its original or even a greater value. The price of all our products bear constantly that ratio which the home consumption, and the *foreign call for them* indicate. Yet that price is affected proportionably by the rate of ensurance; so also in the same manner with articles of import.

for naval purposes," which appropriated a sum not exceeding two hundred thousand dollars, "to be laid out in the purchase of growing or other timber, or of lands on which timber is growing, suitable for the navy," to be preserved for the future uses of the navy.

*25th February, "An act fixing the pay of the captains and commanders, &c. declaring,

That vessels mounting twenty guns and upwards, shall be commanded by captains.

Those not exceeding eighteen guns, (except galleys) shall be commanded by masters or lieutenants, according to the size of the vessel, to be regulated by the President of the United States.

	per month.	rations per day
That the pay of captains commanding ships, of thirty-two guns and upwards be	$100	8
Those comm'g ships of 20 & under 32 guns	75	6
A master commandant - -	60	5
A lieut. commanding a small vessel -	50	4

Any officer, employed in the command of a squadron on separate service, to have double allowance of rations during the continuance of such command.

The commanding officer of the navy, while in service, to be always allowed at the rate of 16 rations per day.

March 2d, "An act for the government of the navy of the United States," which however was repealed by the "act for the better government of the navy of the United States," 23d April, 1800.

March 2d, "An act for the augmentation of the marine corps," This act authorized an augmentation of the corps by the following additional appointments and enlistments:

2	1st lieutenants,
6	2d lieutenants,
8	surgeons, (presume serjeants)
18	drums and fifes,
170	privates, which added to the number authorized by the act of 11th July, 1798, made the whole corps to consist of
1	major,
4	captains,
13	1st lieutenants,
18	2d lieutenants,
56	serjeants
50	drums and fifes,
1051	privates.
1198	

March 2d, Congress appropriated 2,102,384 41, (including an unexpended balance of previous appropriations, of 823,887 14) for the support of the navy for the year 1799.

*Specially recommended by Mr. Stoddert, 9th Feb. 1799, who prepared the bill.

CHAPTER VI.

Outrage on the ship Baltimore—Messrs. Trezevant and Timmon's communication—Captain Phillips' account of the affair—His dismissal—Demands a Court Martial—Is refused—Doctor Waterhouse's communications with the late President Adams—Observations—Orders issued to commanders.

On the 8th January, 1799, the President of the United States communicated to the House of Representatives, in compliance with their resolution of the 2d of that month, the following circumstances, in relation to the outrage committed on the United States' ship of war, the Baltimore, of twenty guns, under the command of captain Isaac Philips.

Extract of a letter, from George C. Morton, Esq. acting Consul of the United States at the Havanna, to the Secretary of State, dated Havanna, 18th November, 1798.

"By the delegation of Daniel Hawley, Esq, I am at present acting as consul of the United States in this district. It imposes upon me the mortifying task, sir, of informing you of the partial capture of an American fleet, under the convoy of the Baltimore sloop of war, Isaac Phillips, Esq. commander, by a British squadron, off this harbor, accompanied with circumstances rather grating to the feelings of Americans, and by no means analogous to that good harmony, which seems to subsist between the two governments.

"The answer of Messrs. Trezevant and Timmons, to my note of the 7th instant, requesting an exact relation of the occurrence, will, I presume, be deemed as impartial a narrative as can be given, of the whole transaction, they having been passengers on board one of the captured vessels, and removed to the Baltimore."

Lewis Trezevant and William Timmons, Esqs. to G. C. Morton, Esq.

"Havanna, Nov. 18, 1798.

"SIR—Agreeably to your request, we now commit to writing, the best account we are able to give you, of the conduct of captain Loring, commodore of the British squadron, which was lately off the Moro, towards the United States' ship the Baltimore. We must observe, however, that all we can say of it, is from the information of captain Phillips, as we were not

on board of the Baltimore when she was visited by captain Loring's officers.

"In the morning of the 16th inst. we discovered this squadron, when we were in sight of the Moro, and afterwards found it was composed of captain Loring's ship, the Carnatick, of seventy-four guns; captain ———'s ship, the Thunder, of the same force; captain Dobson's ship, the Queen, of ninety-eight guns, captain Donolly's frigate, the Maidstone, of thirty-two guns, and captain Hardy's frigate, the Grey Hound, of the same force. We were passengers in the brig Norfolk, captain Butler, which, together with the ship Eliza, captain Baas, and the brig friendship, captain Fuller, were cut off from their entrance into port, and were all made prizes within gun-shot of the Moro. We obtained leave to go on board the Baltimore with our baggage, and did so. When captain Phillips discovered that they were English ships, which was before we were taken, he stood towards them, and spoke the commodore. After we got on board the Baltimore, the captain informed us, that he had been on board the Carnatick, and that the commodore had told him, that he should take out of the Baltimore all such men as had not American protections; that he had remonstrated with him against showing such an indignity to our flag; that to do so, would leave his ship in a very defenceless state, and would deprive him of nearly all his men, as not even those who were really Americans, or at least very few of them, could show protections, because it was always thought that our flag, on board of a government ship, was a sufficient protection. All this, however, was urged in vain. captain Phillips returned to his ship, and the commodore sent an officer on board the Baltimore, who carried away fifty-five of her men to the Carnatick. Captain Phillips remained in expectation that nearly all the rest would be taken from him; but whether the commodore, upon reflection, thought better of it, or whatever else might have been his motive, he sent back fifty, and kept five, among whom was the ship's boatswain.

"Captain Loring proposed to give up a number of American seamen, who, he said, were in his fleet, if captain Phillips would give him English subjects for them.* Captain Phillips refused this offer, and the American seamen were not delivered to him. Before any of the men were returned, he sent a message to captain Phillips, to let him know, if he, or one of his officers, would go on board of him, and point out who were Americans and who were not, he would return all the Americans; but this was declined also. After we got on board of the Baltimore, he sent a letter to captain Phillips, which he

* This proposition was made *after* commodore Loring had ordered fifty-five men out of the Baltimore, and detained five of them, as being British subjects, without giving an equal number of Americans, whom he *acknowledged* to have on board.

showed to us, in which the commodore "*demanded*" that he would give up all the British subjects on board the Baltimore. To this, captain Phillips replied, that he could not know any of his men as British subjects, nor could he, as commander of a ship in the service of the United States, voluntarily give up any of his men; but if he thought fit to send an officer on board, with orders to take any number of his men, he should not oppose it. In this answer, captain Phillips mentioned, he should lay before the Executive of the United States, a full account of the occurrences of the day. Shortly after sending this reply, the squadron set sail, and left the Baltimore. Commodore Loring was very polite to us, and was so to captain Phillips, when he went on board; but captain Phillips complained of indecent behaviour from the inferior officers."

Captain Phillips' account of this affair, is as follows:

While he was convoying a fleet of merchant vessels, from Charleston, S. C. to Havanna, he discovered a British squadron; and knowing the vexatious detentions, and sometimes captures, to which our merchant vessels were exposed, from British cruizers, and anxious to see those under his charge safe in port, he hoisted the signal of alarm, directing all the vessels under his convoy to spread all their canvass and use every exertion in their power to gain the port of Havanna. As soon as he perceived that his signal was understood, he bore up for the flag ship of the squadron, in order to divert its attention from the fleet under his convoy; every one of which, excepting the three mentioned by Messrs. Trezevant and Timmons, succeeded in getting into port. Those three, after a few hours detention, were released, and arrived safe.

When the Baltimore had got up to the flag ship, commodore Loring invited captain Phillips on board the Carnatick, who accepted the invitation. While on board, commodore Loring informed him, that he should take out of the Baltimore such men as had not American protections; to which, captain Phillips replied, that such a proceeding could not but be considered as an indignity to the flag of the United States, which, of itself, according to the usages and customs of nations, protected every individual sailing under it, and particularly those in an armed national ship; that if commodore Loring persisted in the determination he expressed, he, captain Phillips, would, in that event, be constrained, by the great inferiority of his force, to surrender his ship.

Captain Phillips then returned to the Baltimore, where he found his crew mustered, with the consent of his first lieutenant, obtained in his absence, by a British officer, who had the muster roll of the ship in his hand, and in the act of executing the commission upon which he had been sent, viz: "to take from the Baltimore, such men as had not American

protections." The British officer announced his errand to captain Phillips, with an expression of his regret at having been charged with so unpleasant a commission, which, however, he was bound to execute. Captain Phillips took the muster roll from his hand, ordered his crew to quarters, desired the British officer to walk the leeward side of the quarter deck, until he should decide as to the reply which it became him to make, in a case so extraordinary in its character. Had he have yielded to the first impulse of his feelings, he would have destroyed the British boats first sent to his ship, and prevented the officer from executing his commission, until, by the exercise of force, the British squadron should have compelled him to surrender his ship; but recollecting that he had no commission, no paper recognizing the Baltimore as a national ship, and adverting to the instructions under which he was cruizing, which, in his opinion, indicated an *extreme* disinclination on the part of the government, to pursue any other than the most conciliatory course of conduct towards all nations, excepting France, he determined to consult Mr. Trezevant, *who had just come on board*, a lawyer by profession, and abide by his advice on the occasion. He went into his cabin, and there informed Mr. Trezevant, that he had not a solitary paper signed by the President of the United States, excepting the laws, which any individual might obtain by purchase or otherwise, and which could not be considered as indicating the national character of his ship, and he submitted his sailing instructions, (of 9th August, 1798,) of which the following is an extract:

"The vessels of every other nation, (except France,) are on *no account* to be molested; and I wish particularly to impress on your mind, that should you ever see an American vessel, captured by the armed ship of any nation at war with whom we are at peace, you cannot lawfully interfere to prevent the capture, for it is to be taken for granted, that such nation will compensate for such capture, if it should prove to have been illegally made." Mr. Trezevant, having considered the subject, advised captain Phillips not to resist the execution of commodore Loring's order, but to let him take his own course, protest against it, and refer the case to his government. Captain Phillips then went upon deck, and informed the British officer of his decision, which was that advised by Mr. Trezevant.

Captain Phillips then struck his flag, and informed commodore Loring, that the United States, ship Baltimore was surrendered to the squadron under his command; and fifty-five of the crew were taken away.

After a short detention, commodore Loring, in consequence of a *special* note written by captain Phillips to him, and apprehensive, it is presumed, of his conduct not being approved by his government, to whom he knew, from captain Phillips' communication, it would necessarily be made known, sent

back fifty of the men he had taken from the Baltimore, retaining five; and he then made the propositions stated by Messrs. Trezevant and Timmons, and after receiving captain Phillips' reply, he set sail with his squadron, and left the Baltimore.

Captain Phillips, finding that the British squadron declined taking possession of his vessel which had been surrendered, rehoisted his flag, went into Havanna, where he obtained necessary supplies, and taking under his protection a number of homeward bound vessels, returned to the Chesapeake, and immediately proceeded to Philadelphia, and submitted to the Secretary of the Navy a narrative of this outrage; stating minutely his own conduct and that of commodore Loring. He expressed to the Secretary of the Navy his wish to have a personal interview with the President of the United States, that he might answer any questions which the President might propound to him. The reply led him to believe that his conduct would not be disapproved, and that an interview with the President would be altogether unnecessary; that he might return to Baltimore where he would receive further orders respecting the destination of his ship. He, accordingly, returned to Baltimore; but two days after his arrival there, instead of receiving orders for service, as he had been led to expect, and for which he was preparing himself, he received to his utter astonishment, a letter (10th January, 1799,) from the Secretary, dismissing him from the Naval service of the United States.

The following letter from the Secretary of the Navy, to captain Phillips, will show the grounds on which he was dismissed; 10th January, 1799.

SIR:—"Your narrative of the transaction with the British captain, near the Havanna, has been attentively considered; and with every disposition to make allowance for the unprecedented situation, to which you were exposed, it is impossible to find an excuse for some parts of your conduct; among these it will be sufficient to mention your *tame submission to the orders of the British lieutenant, on board your own ship.*

If you could not have resisted the assumption of the command of your own ship, by that officer, a point not to be admitted, surely, you might have contented yourself with passive submission; but you descended further, and actually obeyed his orders, to have all hands called, and to give him a list of their names. Under circumstances so degrading, it is improper that you should hold a commission in the Navy service of the United States; and I am commanded by the President to inform you that your services are no longer required.

"I am, respectfully, your most obedient servant,

"BEN. STODDERT."

It is greatly to be regretted, that captain Phillip's original narrative, has shared the fate of many other official documents; it being burnt, in 1814—and that no copy was retained by captain Phillips himself, nor any record by the Navy Department, where it ought to have been recorded, with the letter founded upon it. This is a defect, which can be but partially supplied, by the memory of those who read the narrative soon after it was received. We distinctly remember to have read it with great attention, and that there were passages in it, justifying the inferences, drawn by Mr. Secretary Stoddert; such passages for instance, as the following:—"When the British lieutenant arrived on board, he required the muster roll of the ship, which was delivered to him, and the men were mustered." But captain Phillips did not say, *by whom* the muster roll was delivered, nor *by whom* the men were mustered. His own subsequent statement shows, that *he* was not on board the Baltimore at the time these transactions took place—that when he got on board, he found the muster roll in the hands of the British lieutenant, took it from him, desired him to walk the leeward side of the quarter deck, until he could make up his mind as to the course of conduct it became him to pursue, and retiring into his cabin, consulted Mr. Trezevant, and finally, agreeably to his advice, returned again upon deck, and informed the British lieutenant, that he should not resist the execution of commodore Loring's order—but protest against it—and submit a full statement of the occurrence to his government. He then struck his flag, and fifty-five of his crew were taken away.

When captain Phillips received the Secretary's letter, dismissing him, he requested, in terms, not over courteous, an opportunity of justifying his conduct before a court martial; and stated that his narrative had been presented, not for the purpose of defending his proceedings, but rather to enable the government to communicate with, and obtain redress from the British government, for the outrage committed on our national flag; that there were many circumstances essential to his defence, not mentioned in the narrative. A court was, however, refused him; and he has ever since felt himself to have been unjustly, if not cruelly treated, on this occasion.

One of his friends, in the year 1820, undertook to communicate with the late President, Mr. Adams, with a view to ascertain his sentiments upon the subject, the dismissal having occurred during his Presidential term; and the following will show the result:

Extract of a letter from Doctor Benjamin Waterhouse, to Captain Isaac Phillips, dated Cambridge, 5th August, 1820.

"Having heard from you, and oftener from others, an account of your sudden dismissal from the service of the United States, in the administration of President Adams, and having always heard it spoken of as a hard case, I was determined, the first good opportunity, to speak to Mr. Adams on the subject. Such an one occurred, and I improved it.

"His narrative of the affair corresponded with your own. He said that commodore Loring fell in with the United States' sloop of war which you commanded, and being in a ship of the line, accompanied with several frigates, he caused you to be boarded, and by force took from you fifty-five men, which it was not in your power to prevent, unless you blew your ship up; that you directly thereupon struck your colors, and judiciously surrendered yourself to such an irresitible force; but that the British commodore refused to take your ship, or to consider her as captured, and insisted that you should re-hoist your colors, and go from him, which you very properly refused to do, but demanded of him the men he had impressed; and that you then wrote to the commodore, reiterating your demand, and giving him your reasons for persisting in considering yourself captured by a greatly superior force; all of which, Mr. Adams said, was very proper, and just as it should be. That, when commodore Loring found, by your letter, that it was not a contest between an American captain of a sloop of war, and the commander of an English squadron, but was like to be a national question, he sent fifty of the impressed men back to your ship, and retained five. Upon this, it seems, you unluckily re-hoisted your colors, and proceeded on your way. You did not sufficiently consider, that by the forcible detention of those five men, the sovereignty of the nation, of which your colors were the emblem, was forcibly prostrated and disgraced, and that it was left to the nation to vindicate and revenge the insult. It was this *error of judgment*, that cost you your commission.

"There are cases, and yours was one of them, where Kings and Republics find it expedient to sacrifice an individual to establish an important principle. The British have done it often. But then the *King*, who is a permanent chief magistrate, takes care to apply a healing plaster to the wounded officer; and after an year or two's suspension, gives him a larger ship, or a more profitable employ. But this cannot always be done in such a government as ours. When a President retires to private life, his successor may, possibly, not feel himself disposed to soothe all the painful feelings excited by a predecessor."

From the same to the same, 12th September, 1820.

"I write this, merely to say, that directly on receiving your letter, of the 19th August, I wrote such a letter to my venerable friend, Mr. Adams, as I thought proper; but had no answer before to-day. I was a little fearful, lest I had offended him by my fredom; but I find that the contents of your letter had made a deep and rather sorrowful impression on his mind, for he says "captain Phillip's letter is a volume of news to me. That he sailed without a commission was never known, heard, or suspected by me, and not one word of his conversation with Mr. Stoddert, was ever communicated to me—I will return you his letter, when I have read it more deliberately and reflected upon it more maturely.

"I clearly perceive, that he is filled with regret at what has happened; and I believe, from my knowledge of his love of truth and justice, will try to soothe your feelings; but the *mode* requires deliberate thought, for the Secretary of the Navy is dead, and your letter has called up a volume of ideas to his mind, that we perhaps, know nothing of."

Same to the same, 12th November, 1820.

"It is but two days since President Adams, returned to me your letter, of August 19th. I am convinced that it is has occasioned him a great deal of thought, in which regret has predominated; and this, we need not wonder at, when we consider, that he is, that rare character a *conscientious* statesman. He repeats, in strong terms, that he never knew, heard or suspected, that you sailed without a commission. He says, he has no recollection that he ever gave orders, or consented to your dismission—His words are, "*Indeed I suspect he never was dismissed, and that he is now a captain in the Navy, as much as ever he was. I greatly regret that Phillips did not come to me in person, and explain the whole affair himself. If he had, I am confident he would have had no reason to complain.*"

Same to the same, 8th March, 1821.

"In a conversation, he, (Mr. Adams,) repeated what he had written to me, and I to him. He said, in his opinion, you were still a captain in the navy of the United States; that he never knew you went to sea, without a commission, and never knew the circumstances of the case, and has not the least recollection of ordering your dismissal; he should not were he now President of the United States, consider you otherwise than a captain in the service; but as so long a time has elapsed, and Mr. Stoddert no longer here to answer for himself, he did not see what could now be done."

The preceeding letters and statements, afford all the information it is possible to obtain, in any degree essential to an understanding of the subjects to which they relate.

The apparent discrepancy between the statements of Messrs. Trezevant and Timmons, and captain Phillips; the two first, observing that they, "were not on board the Baltimore, when she was visited by captain Loring's officers," and the latter stating that he had "consulted Mr. Trezevant before he had permitted any of the crew to be taken from the ship," appears to be reconciled, by the explanation of captain Phillips, who says, that although those gentlemen were not on board the Baltimore *at the time commodore Loring's officers visited her*, yet that Mr. Trezevant *arrived on board while they were there, and before any of the crew had been taken from her.*

The reader will not fail to observe that every information with regard to the occurrences between the Baltimore and the British squadron, is derived from captain Phillips himself. It was from the information given to them by him, that Messrs. Trezevant and Timmons, wrote their letter to Mr. Morton, of the 18th November; and it was upon *his* narrative of the occurrences that the Secretary of the Navy dismissed him, and his more recent statement, as to what that narrative was, appears to be confirmed by the recollection of Mr. Adams, as may be seen by referring to Doctor Waterhouse's letter of 5th August, 1820, where he says, "his narrative of the affair corresponded with your own."

If captain Phillip's conduct on this occasion had been such as Mr. Stoddert, no doubt, believed it to be, he ought to have been brought to a court martial, and his dismissal from the service would, unquestionably, have been recommended. It would not have been in his power to have averted such a sentence. If he really had not only "tamely" submitted to the orders of the British lieutenant, but "obeyed" them, he would, indeed, have merited the *summary* punishment he experienced. But in the facts stated, we cannot discover in any part of the conduct of captain Phillips, either obedience, or tame submission to the British officer. There surely was no tame submission in captain Phillips' taking the muster roll from the hand of the British officer, directing him to walk to the *leeward* side of the quarter-deck, and ordering his crew to quarters; neither can we trace his subsequent reluctant yielding without resistance, to the execution of captain Loring's order, to any base feeling of this sort.—Commanding only a small sloop of war, while commodore Loring had three ships of the line and two frigates, to enforce the execution of his purposes; without a commission or any paper from his government, indicating the national character of his ship; fettered by instructions which enjoined him, on no account to molest the vessels of any nation, except those of France; his situation was highly embarrassing.

His instructions were not, it appears, construed as they were intended. Correctly interpreted, they meant that he should not act *offensively* against the vessels of any nation, ex-

cepting France. They did not forbid his acting *defensively*. Under the circumstances of the case, it would probably have been better for captain Phillips, first to have discharged his broadsides at the British squadron, and then struck his colors. It should be a point of honor with a national vessel of war, not to strike her colors with guns loaded, if she has an opportunity of discharging them. The circumstances which justify her striking her colors, will generally admit the previous discharge of her guns. But, although this course would probably have been more approved than any other on the part of captain Phillips, situated as he was, it does not appear to us that his conduct deserved severe censure, still less, we conceive, did *he* merit the summary punishment inflicted upon him.

The power of dismissing a navy officer, without trial, is undoubtedly possessed by the Executive; the necessity of such a power being lodged in some one of the departments of the government, is at once conceded; but it is contended, and we think very justly, that this power should never be exercised without great caution, and positive information that the offence requiring its exercise has actually been committed. If a court martial had have been allowed to captain Phillips, there is every reason to believe that he would have been acquitted, and that another officer would have been convicted of the offence charged upon him, and for which he was punished.

As soon as Mr. President Adams received Mr. Morton's despatch, of the 18th November, 1798, he directed the following instructions, (No. 3.) to be transmitted to the commanders of our armed vessels.

No. 3.

CIRCULAR,

To the commanders of armed vessels in the service of the United States, December 29th, 1798.

SIR—It is the positive command of the President, that on no pretence whatever, you permit the public vessels of war under your command, to be detained, or searched, nor any of the officers or men belonging to her, to be taken from her, by the ships or vessels of any foreign nation, so long as you are in a capacity to repel such outrage on the honor of the American flag. If force should be exerted to compel your submission, you are to resist that force to the utmost of your power, and when overpowered by superior force, you are to strike your flag, and thus yield your vessel as well as your men, but never your men without your vessel.

You will remember, however, that your demeanour be respectful and friendly to the vessels and people of all nations in amity with the United States, and that you avoid as carefully the commission of, as the submission to, insult or injury.

I have the honor, &c.

BENJ. STODDERT.

These instructions were universally approved by the citizens of the United States, and they were particularly acceptable to those to whom they were addressed.

The additional instructions, No. 4 and No. 5, which explain themselves, were subsequently issued.

No 4.

CIRCULAR.

Additional Instructions, January 16th, 1799.

"It being not less the inclination and the interest of our country to avoid disputes with all nations, than the fixed determination of the President never to provoke disputes, by taking or maintaining improper grounds, it is right that you should understand, that as our laws do not prevent our armed ships from protecting from French cruizers, the vessels of our merchants, with contraband goods, so it will not be lawful for you to prevent merchant vessels, although under your convoy, from being searched or detained, by the vessels of any of the powers at war, except the French."

No. 5.

CIRCULAR.

Instructions, 12th March, 1799.

"Herewith you will receive an act of Congress, "further to suspend the commercial intercourse between the United States and France, and the dependencies thereof," the whole of which requires your attention. But it is the command of the President, that you consider particularly the 5th section as part of your instructions, and govern yourself accordingly. A proper discharge of the important duties enjoined on you, arising out of this act, will require the exercise of a sound and impartial judgment. You are not only to do all that in you lies, to prevent all intercourse, whether direct or circuitous, between the ports of the United States and those of France, or her dependencies, in cases where the vessels are apparently, as well as really American, and protected by American papers only; but you are to be vigilant, that vessels or cargoes, really American, but covered by Danish or other foreign papers, and bound to or from French ports, do not escape you. Whenever, on

just suspicion, you send a vessel into port, to be dealt with according to the aforementioned law, besides sending all her papers, you should send all the evidence you can obtain, to support your suspicions and effect condemnation. At the same time that you are thus attentive to fulfil the object of the law, you are to be extremely careful, not to harass, or injure, the trade of foreign nations with whom we are at peace.

A misconstruction of his authority, by captain Nicholson, in relation to a vessel of a friendly nation, captured by the French, renders it necessary that I should make some explanatory observations on the subject. Our laws direct the capture of all *armed* vessels, sailing under authority, or pretence of authority, from the French republic. A vessel captured by the cruizers of France, must be considered as sailing under the authority of France; and it is scarcely to be supposed, that in times like the present, when few vessels sail without arms, a captured vessel in possession of the captors, will be so circumstanced as not to come under the description of an armed vessel, within the meaning of our laws.

To justify a re-capture, nothing is necessary, but that the vessel be provided with such means of annoyance, as will render her dangerous to an unarmed American vessel, in pursuit of lawful commerce.

If, however, the vessel cannot be considered an armed vessel, within the meaning of our laws, you are not to re-capture her, unless you should have probable cause to suspect, that the citizens of the United States, or persons resident therein, have some interest in the vessel or cargo.

It is always your duty to re-capture American property, or property of persons resident within the United States, whenever found in possession of the French on the high seas."

CHAPTER VII.

Loss of the Retaliation—Ruse de Guerre, of Lieutenant Commandant Bainbridge—Capture of Insurgente—Lieutenant Rogers' perilous situation—Midshipman Porter—President' sthanks to Captain Truxtun, his officers and crew—Names of Officers in the action with the Insurgente—Employment of Vessels—Renewal of Commerce with St. Domingo—Circular instruction of 27th June, 1799—Employment of ships during 1799—Circular instructions of 5th September, 1799, as to Slave Trade—Navy in mourning for the death of the Nation's most illustrious Chief.

While cruizing off Guadaloupe, on the 20th November, 1798, at 6, A. M. lieutenant commandant Bainbridge, commanding the schooner Retaliation, discovered three sail in the E. S. E. distant two leagues, and at the same time, the ship Montezuma, captain Murray, and brig Norfolk, captain Williams, were seen in the west, standing for the Retaliation. At half-past 6, captain Murray hailed the Retaliation, and asked if the ships to windward had been spoken. He was answered in the negative, with an intimation that they were probably British. Two other ships, appearing in the west, captain Murray tacked and gave chase. At 7, lieutenant Bainbridge threw out the signal for the ships to windward, but his signal was not answered. He then made the signal for American ships, and was answered by a flag at the mizen-peak, which could not be so clearly distinguished as to enable him to decide as to the character of the ships. From a variety of manœuvres, however, he was induced to consider them British frigates. The British ship Scourge had, the day before, been seen to join two vessels of similar appearance; and when the Montezuma and Norfolk, stood for them, they tacked, which induced the belief that the Scourge had given them information of these two American vessels. When the American cruizers tacked to the westward, they tacked also, from which it was presumed, that they had discovered the two sail to which captain Murray had given chase.

At 8 o'clock, the Insurgente fired into the Retaliation, hoisted the French flag, and ordered her to strike. Immediately after, the flag ship, the Voluntier, hailed and directed lieutenant Bainbridge to come on board. Yielding to overwhelming force, he was constrained to strike his flag, and re-

pair on board the Voluntier. These two frigates, under the command of commodere St. Lawrence, were from France, via Cayenne. The Voluntier carried forty-four, the Insurgente forty guns. The Retaliation was carried into Guadaloupe, where the frigates were bound, with general Desferneaux on board, who had been sent out to supersede the notorious Victor Hughes, as governor of that island.

The officers of the Retaliation were held as prisoners, on board the frigates, but the crew were confined, in a loathsome prison, in Bassaterre, whither the officers were ordered in the first instance; but the kind intercession of commodore St. Lawrence, changed their destination.

Lieutenant Bainbridge being permitted to go on shore, on his parole of honor, without his uniform, early in December, waited on general Desferneaux, for the purpose of effecting an exchange of prisoners, under instructions transmitted to him, by captain Murray.

On this occasion, general Desferneaux, who was a man of fine talents, courtly manners, and insinuating address, assured lieutenant Bainbridge, that he did not consider the officers and crew of the Retaliation as prisoners of war; that he detained them from political motives, and intended to treat them as friends and allies, and he professed a personal friendship for lieutenant Bainbridge. Having thus, as he presumed, gained the good will of lieutenant Bainbridge, he expressed an anxious disposition to open reciprocal commercial relations with the United States, so as to place the island of Guadaloupe hors de combat, and then proposed certain arrangements by which his object might be accomplished—asked lieutenant Bainbridge to accede to them, and intimated, that individual advantages would result to him for his so doing.

Lieutenant Bainbridge replied, that he considered himself, his officers and crew, as prisoners of war, as did every other American in the island, who was held in captivity; that he duly appreciated the personal friendship of his Excellency the Governor, and should be happy to see peace restored between the United States and the French republic; but that as to the arrangements proposed, with a view to neutralize Guadaloupe, during the continuance of hostilities, he had neither authority nor disposition to hold any communication upon the subject; and he indignantly repelled the idea of his being induced by any consideration of individual advantage, to accede to any arrangement of a public interest. He urged the humanity and policy of ameliorating the condition of the Americans held as prisoners of war, and stated to general Desferneaux, that more cruel treatment had never been experienced by any prisoners. This was laid to the charge of Victor Hughes, whose orders general Desferneaux pretended could not be revoked, until he left the island.

A few days after this interview, Victor Hughes was sent on board the Voluntier as a national prisoner, and lieutenant Bainbridge immediately on hearing this intelligence, waited on general Desferneaux, and informed him that the prisoners were nearly in a state of starvation; that among them, there was a number of respectable masters of vessels, under the direction of an unfeeling and brutal goaler, who frequently insulted, beat, and confined them in a dungeon, merely from caprice, or to indulge a savage propensity, which was increased by habitual intoxication. These representations produced a partial effect, and the prisoners experienced better treatment, till they were released.

It was probably owing to the address of lieutenant Bainbridge, that the Montezuma, and Norfolk were not captured. The Insurgente having, as before stated, fired upon the Retaliation, and ordered her to strike, continued her chase in pursuit of the Montezuma and Norfolk, and was fast gaining upon them, when, in the language of captain Murray, "she gave up the chase, in a very unaccountable manner."

Soon after lieutenant Bainbridge went on board the Voluntier, commodore St. Lawrence, with several lieutenants, were spying the chase, expecting every moment that the Insurgente, whose superior sailing had brought her nearly up to the Montezuma and Norfolk, would open upon them. Lieutenant Bainbridge asked lieutenant Pleasants, to allow him to look through his spy-glass, which was politely accorded. He saw, with the most painful feelings, that the Insurgente was gaining on them so fast, as to leave scarcely a doubt of their being captured. At that moment, commodore St. Lawrence said to him, "Pray, sir, what is the force of those vessels?" To which he, with perfect self-possession, and all the sang froid he could assume, replied, "The ship carries twenty-eight twelve pounders, and the brig, twenty nine pounders." The commodore instantly directed his signal officer, lieutenant Pleasants, to make a signal of recall to the Insurgente. The order was instantly obeyed. The Insurgente gave up the chase, and the Montezuma and Norfolk escaped.

When the Insurgente joined the Voluntier, captain Barreaut, her commander, hailed the commodore, and said to him, "Sir, if it had not been for your signal, I should have had those vessels in ten minutes more." To which the commodore replied, "You do not know, sir, what vessels you were going along side of. Your ship is not able to contend with a force of twenty-eight twelve pounders and twenty nine pounders." Barreaut, in a passion, replied, "Sir, they have nothing heavier than *sixes*, and do you suppose that this ship could have any thing to fear from such guns?" Commodore St. Lawrence, immediately perceiving the ruse de guerre which had been adroitly practised upon him, by the young lieutenant, inquired of him, "Did you not tell me, sir, that the ship carried twenty-

eight twelve pounders, and the brig twenty nine pounders?" To which, lieutenant Bainbridge replied, "Yes, sir, and if I had have thought at that moment, that I could have saved the ships, by telling you that they carried twenty-four pounders, I would have done so."

The commodore made no reply, but treated lieutenant Bainbridge, as he had previously done, with great civility. He was too magnanimous not to consider it as a justifiable deception.

On the 29th March, 1799, lieutenant Bainbridge was ordered to take command of the brig Norfolk, and a commission as master commandant in the navy was conferred upon him; and on the 15th April following, he received instructions to proceed to St. Kitts, and join the squadron under the command of commodore Truxtun.

Our vessels of war continued on the stations respectively assigned to them, as stated in the preceding chapter, cruizing separately and diligently in search of French armed vessels, of which they captured a number, rendering essential service by convoying our homeward and outward bound trade; returning occasionally to the United States, for fresh crews, or to refit.

Among the captures made, the following was the most important:

Capture of the frigate Insurgente, of forty guns, and four hundred and nine men, commanded by captain Barreaut, by the frigate Constellation, mounting thirty-eight guns, with three hundred and nine men, commanded by captain Thomas Truxtun.

On the 9th February, 1799, the island of Nevis, bearing W. S. W. five leagues distant, a large ship to the southward was discovered from the Constellation, and captain Truxtun immediately bore down for her. She hoisted American colors, upon which captain Truxtun displayed the private signals, and those which had been established between our vessels of war and those of Great Britain. Neither being answered, captain Truxtun suspected that the strange sail was an enemy, and his suspicion was presently confirmed, by her hoisting French national colors, and firing a gun to windward, (the signal of an enemy.)

In his communication to the Secretary of the Navy, dated 10th February, 1799, captain Truxtun observes:

"I continued bearing down on her, and at a quarter past 3, P. M. she hailed me several times; and as soon as I got in a position for every shot to do execution, I answered by commencing a close and successful engagement, which lasted until about half past 4, P. M. when she struck her colors to the United States ship Constellation, and I immediately took possession of her. She proved to be the celebrated French

national frigate Insurgente, of forty guns and four hundred and nine men, lately out from France, commanded by Monsieur Barreaut, and is esteemed one of the fastest sailing ships in the French navy. I have been much shattered in my rigging and sails, and my fore-top mast rendered, from wounds, useless—you may depend the enemy is not less so. The high state of our discipline, with the gallant conduct of my officers and men, would have enabled me to have compelled a more formidable enemy to have yielded, had the fortune of war thrown one in my way;—as it is, I hope the President and my country will, for the present, be content with a very fine frigate being added to our navy. I must not omit, in this hasty detail, to do justice to Monsieur Barreaut; for he defended his ship manfully, and from my raking him several times, fore and aft, and being athwart his stern, ready with every gun to fire when he struck his colors, we may impute the conflict not being more bloody on our side: for had not these advantages been taken, the engagement would not have ended so soon; for the Insurgente was completely officered and manned."

In this action, the Constellation had two badly wounded—of whom midshipman M'Donough was one, (having lost one of his feet)—the other died shortly afterwards, of his wounds—she had also one slightly wounded. About the commencement of the action, one man was killed for deserting his quarters, by the 3d lieutenant of the ship.—"This is the whole number lost and wounded on board the Constellation."

The Insurgente had killed, - - -	29
Badly wounded, - - - -	22
More slightly wounded, - - -	19
Total,	70

Having arrived at St. Kitts, captain Truxtun, in a letter of the 14th February, 1799, to the Secretary of the Navy, observes:

"I shall proceed to repair the damages sustained by both ships as speedily as possible, and until the pleasure of the President of the United States is known, I intend to give lieutenant Rodgers an order to command the Insurgente. He was one of the first lieutenants appointed; has a claim to being among the first promotions, but a very strong one for behaving well; and being the first lieutenant of the Constellation, at the capture of the first governmental ship of any consequence ever made by the arms of the United States, at sea, since our being known as a nation—the other officers I shall appoint in the same way.

"My gun deck is divided into three divisions:—The first of five guns, and opposite, superintended by the first lieutenant, Mr. Rodgers; the second, of five guns, and opposite, by the second lieutenant, Mr. Cowper; the third, of four guns and opposite, by the third lieutenant, Mr. Sterrett. The zeal of these three officers in performing their duty, and complying strict-

ly with my orders, cannot be surpassed: but I must not, in praise of them, be silent as to the good conduct of Mr. Shirley, the master, and Mr. Archer, the fourth lieutenant, who acted their part near my person on the quarter deck, and who are also deserving of notice, but for the honor of our nation, I must declare, that it is impossible for officers and men, in any service, to have behaved better than my people did generally on this occasion. It must therefore not be understood, because I have mentioned the names of a few of the principal gentlemen, those of an inferior grade in their stations are less deserving; on the contrary, to the latter I always felt the most indebted, for their exertions in the hour of battle, as they have generally much less at stake than those in higher stations, and consequently less inducement to display their valor.

John Rodgers* first lieutenant, was sent with midshipman Porter† and eleven men, to take possession of the prize, and superintend the removal of her crew to the Constellation. The wind blew high, and occasioned so much delay in removing the crew, that before it could be effected, night set in, and it came on to blow so hard as to separate the ships, leaving one hundred and seventy-three prisoners on board the Insurgente, to be guarded by lieutenant Rodgers, and his small party.

The ordinary means of securing prisoners, and the gratings having been thrown overboard by the crew of the Insurgente soon after she struck, left lieutenant Rodgers in a most embarrassing and perilous situation. The Insurgente resembled a slaughter house; her decks not having been cleared of the dead or dying; her spars, sails, and rigging, cut to pieces, and lying on deck. The navigating her in this situation, in a gale of wind, by two officers and eleven men, who were at the same time charged with the duty of guarding one hundred and seventy-three prisoners, without handcuffs or shackles, and hatches all uncovered, was a service not to be envied by the boldest man living.

Under these circumstances, lieutenant Rodgers immediately secured all the small arms; ordered the prisoners into the lower hold of the ship, and placed at each hatchway a sentinel, armed with a blunderbuss, cutlass, and brace of pistols, with orders to fire, if any one of the prisoners should attempt to come upon deck, without having previously obtained his permission. In this situation, he was placed for three nights and two days, during which time, neither he nor midshipman Porter could take the slightest repose, being compelled to be constantly on the watch, to prevent the prisoners from rising upon them, and re-taking the ship, which their numbers would have enabled them to do, with ease, but for the precautions taken, and the vigilance practiced by lieutenant Rodgers and his par-

*Present commodore Rodgers.

†Present captain D. Porter.

ty. One moment's intermission thereof would have lost the ship, as the prisoners had manifested a disposition to re-take her, and were incessantly upon the watch for a favorable moment to accomplish their purposes. She was, under these circumstances, safely conducted into St. Kitts, at which place the Constellation had previously arrived.

During the action with the Insurgente, midshipman Porter, then eighteen years of age, wss stationed in the foretop of the Constellation—an eighteen pound ball from the Insurgente struck the foretop mast, just above the cap, and the mast was tottering and about going. Discovering this, midshipman Porter hailed the commodore, and gave him the information; but no person being immediately sent to his assistance, he, himself, with great presence of mind, judgment and gallantry, went up amidst a shower of ball, cut away the slings, let down the yards, and thus saved the mast.

The thanks of the President of the United States, to commodore Truxtun, his officers and crew, for their good conduct and gallantry on this occasion, were communicated in a letter from the Secretary of the Navy to commodore Truxtun, dated 13th March, 1799, of which the following is an extract:

"The President desires me to communicate to you, his high approbation of the whole of your able and judicious conduct in the West Indies; and to present to you, and through you, to the officers and crew of the Constellation, his thanks for the good conduct, exact discipline, and bravery, displayed in the action with, and capture of, the French frigate Insurgente, on the 9th February. I must, however, add, that he observes, and all the officers of the government, indeed all others I have heard speak on the subject, join in the observation, that this is nothing but what we expected from Truxtun."

The officers, in the fighting department, who shared with commodore Truxtun, the honor of this victory, were,

John Rodgers,
William Cowper,
Andrew Sterrett,
John Archer, } *Lieutenants.*

Ambrose Shirley, *Sailing Master.*

Bartholomew Clinch, *Lieutenant Marines.*

Henry Vandyke,
John H. Dent,
Phil. C. Wederstrandt,
Jno. M. Clagett,
Jas. M'Donough,
David Porter,
Wm. Davis,
Joshua Herbert,
Arthur Sinclair,
Thos. Robinson, } *Midshipmen.*

Saml. B. Brooks,
Jos. S. Smith,
18 Daniel Gorman, } *Masters Mates.*

May 7. The General Greene, captain C. R. Perry, was directed to proceed to the Havanna, for the protection of our trade in that quarter, as well as that "which passes down the streights of Bahama, to the Spanish Main." On the 17th, the Merrimack, captain Moses Brown—and on the 28th, the Montezuma, captain John Mullowny, were ordered to proceed to St. Kitts, and join the squadron on that station, under the command of commodore Truxtun, or of commodore Tingey, if Truxtun should should have returned to the United States.

28. The vessels assigned to the Guadaloupe station, at this period, were: the Ganges, commodore Tingey; the George Washington, captain Fletcher; the Merrimack, captain Brown; the Baltimore, captain Barron; the Montezuma, captain Mullowny; the Norfolk, captain Bainbridge; the Eagle, captain Campbell; and the Richmond, lieutenant J. M. Speake commanding.

Arrangements for the admission of American vessels into the ports of Cape Francois, and port Republicain, in the island of Saint Domingo, having been made, the George Washington, captain Fletcher, was (on the 25th of June) ordered to proceed to Cape Francois, for the protection of our trade, and enjoined to cultivate a good understanding with Toussaint; and the President proclaimed the suspension of the pre-existing restraints and prohibitions, as follows:

"Whereas, by an act of the Congress of the United States, passed the 9th day of February last, entitled "an act further to suspend the commercial intercourse between the United States and France, and the dependencies thereof," it is provided, that at any time after the passing of this act, it shall be lawful for the President of the United, if he shall deem it expedient and consistent with the interest of the United States, by his order, to remit and discontinue for the time being, the restraints and prohibitions by the said act imposed, either with respect to the French Republic, or to any island, port, or place, belonging to the said republic, with which a commercial intercourse may safely be renewed; and also to revoke such order, whenever in his opinion the interest of the United States shall require: and he is authorized to make proclamation thereof accordingly.

"And whereas, the arrangements which have been made at Saint Domingo, for the safety of the commerce of the United States, and for the admission of American vessels into certain ports of that island, do, in my opinion, render it expedient, and for the interest of the United States to renew a commercial intercourse with such ports—

"Therefore, I, John Adams, President of the United States, by virtue of the powers vested in me by the above recited act, do hereby remit and discontinue the restraints and prohibitions therein contained, within the limits, and under the regulations here following, to wit:

"1st. It shall be lawful for vessels which have departed, or may depart, for the United States, to enter the ports of Cape Francois, and port Republicain, formerly called Port-au-Prince, in the said island of Saint Domingo, on and after the first day of August next.

"2d. No vessel shall be cleared for any other port in Saint Domingo, than Cape Francois and port Republicain.

"3d. It shall be lawful for vessels which shall enter the said ports of Cape Francois and port Republicain, after the 31st of July next, to depart from thence to any port in said island, between Monte Cristi, on the north, and Petit Goave, on the west; provided, it be done with the consent of the government of Saint Domingo, and pursuant to certificates or passports expressing such consent, signed by tho Consul General of the United States, or Consul residing at the port of departure.

"4th. All vessels sailing in contravention of these regulations, will be out of the protection of the United States, and be, moreover, liable to capture, seizure, and confiscation.

Given under my hand, and seal of the United States, at Philadelphia, 26th June, 1799, and 23d year of Independence.

(Signed,) "JOHN ADAMS."

By the President,

T. PICKERING, *Secretary of State.*"

No. 6.

On the 27th June, 1799, the following Circular was issued to the commanding officers of our public ships, and vessels of war.

"It is the particular desire of the President, that exact discipline be observed on board of all our public ships; that the conduct of the officers, commissioned as well as non-commissioned, exhibit to the men an example of obedience and subordination to the orders of their superiors, and attention to every point of duty: that the commanders cause to be punished with all the rigor the rules and regulations for the government of the navy will admit, such officers as, regardless of the honorable distinction to which their commissions entitle them, prove themselves unworthy of their station; and that the names of those who deserve well of their country, be reported to him through me, at the end of every cruise; it being not less his determination to honor and reward by promotion, as fast as opportunities offer, the meritorious officers, than to rid the service of men who disgrace it, should he have the mortification to find, that any of this latter description insinuate themselves into our navy.

"The rules and regulations point out the punishment to be inflicted upon delinquents of every class. These should be rigidly enforced. The knowledge of them will prevent the introduction of a practice prevalent in other navies, among the

inferior officers, of beating the men without form of trial, and often unjustly—the men will more cheerfully perform their duty, and more readily re-enter the service, when they know that their transgressions are to be punished according to law; and that, without offence, they cannot be punished."

"The seventh article of the first section directs the mode of communicating to the crew a knowledge of these regulations.

"The President also enjoins it as a duty upon the commander of every ship, to circulate among the officers and men, a love of country, and respect for its constituted authorities, a high sense of national character, and veneration for the honor of the American flag."

(Signed,) "BEN. STODDERT."

The following presents, at one view, the various general orders, given with respect to the employment of our ships of war, from this period to the end of the year 1799.

Assigned to the Guadaloupe station, 21st June, the brig Pickering, lieutenant commandant Benjamin Hiller—13th July, the Delaware, captain Thomas Baker—8th August, the Eagle, captain Campbell—28th August, the Baltimore, captain Cowper—9th September, the frigate Adams, captain Richard V. Morris, who, on the return of commodore Tingey to the United States, was to assume the command of the station—1st October, the John Adams, capt. George Cross—15th October, the Scammel, lieutenant commandant M. Fernald—27th November, the schooner Enterprize, lieutenant commandant Shaw—commodore Truxtun having been again ordered to this station in November, we find that in the month of December the squadron consisted of

The Constellation, of 36 guns, Commodore Truxtun,

Adams,	32	capt. R. V. Morris,
John Adams,	32	capt. George Cross,
Connecticut.	24	capt. Moses Tryon,
Delaware,	20	capt. Thomas Baker,
Baltimore,	20	capt. William Cowper,
Eagle,	14	capt. H. G. Campbell,
Pickering,	14	lieut. com. Hiller.
Enterprize,	12	lieut. com. Shaw,
Scammel,	14	lieut. com. Fernald.

Assigned to the Saint Domingo station, July 2d, the Boston, capt. George Little—27th July, the frigate Constitution, com. Silas Talbot, with orders to proceed to the vicinity of Cayenne, and cruise in that neighborhood till about the 20th of September; thence to the neighborhood of Guadaloupe, and thence to Cape Francois, where he was to assume the chief command—3d September, the General Green, capt. C. R. Perry—16th September the Herald, captain C. C. Russell—14th No-

vember, the Patapsco, H. Geddes—4th December, the Augusta, lieutenant commandant Archibald M'Elroy—so that in December the squadron on this station consisted of

The Constitution,	of 44 guns,	commodore Talbot,
Gen. Greene,	32	capt. C. R. Perry,
Boston,	32	capt. George Little,
*Patapsco,	20	capt. Geddes,
Herald,	18	capt. C. C. Russell,
Augusta,	14	lieut. com. A. M'Elroy.

Assigned to the Havanna station, 3d September, the brig Norfolk, captain William Bainbridge—10th December, the Warren, master commandant T. Newman—13th September, the Pinckney, Samuel Heyward—making for the protection of our trade, in the neighborhood of the Havanna:

The Norfolk of 18 guns, capt. W. Bainbridge comd. officer,
The Warren, 18 do. master commandant, T. Newman,
The Pinckney, 18 do. Samuel Heyward.

On the Surrinam station, 5th June, the Portsmouth, captain Daniel McNiell—July 8, the Scammel, lieutenant, Fernald—5th September, the Maryland, captain I. Rodgers. The John Adams, Cross, had been cruizing on this station, but she, with the Scammel, were withdrawn and attached to commodore Truxtun's command, leaving for this station—

The Portsmouth of 24 guns, captain Daniel McNiell, and
The Maryland of 20 do. captain John Rodgers.

For Porto Rico—The Connecticut, captain Moses Tryon, was ordered (25th September,) to proceed thither and cruize in that neighborhood, rendezvousing at St. Kitts—and commodore Talbot was directed to detach occasionally, one or two vessels from his command, to attend to Porto Rico—as our trade had been much annoyed in that neighborhood by French privateers.

The Insurgente, captain A. Murray (27th July,) had a roving commission—her commander being authorized to cruise wherever his judgment might dictate. The West Indies—Western isles—Madeira—Canary islands—the coast of South America, as far as Cayenne, were pointed out to him in his instructions.

The Constellation, captain Samuel Barron †was ordered

*14th November, the Patapsco, captain H. Geddes, with orders to proceed first to New Orleans with General Wilkinson and suite, then join commodore Talbot.

†Commodore Truxtun had resigned his commission, in consequence of a decision with respect to the relative rank of Talbot and himself—and captain Barron was appointed to command the Constellation. Commodore T. however, resumed his commission after a few weeks, and with it, the command of the Constellation; and captain Barron was appointed to superintend the building of the Chesapeake, at Norfolk. Commodore T's resignation never was accepted.

(13th August,) to cruise on our coast to the southward, till 15th September, then return to New York—the Richmond lieutenant commandant Cyrus Talbot, was ordered (16th August,) to cruise as far as St. Mary's till 15th November, then return to Philadelphia.

Commodore Barry, commanding the frigate United States, was ordered to cruise south, as far as St. Marys, (29th June,) returning to Hampton Roads, by the 18th July. His cruize was extended (27th July,) to the 10th September, when he was to return to New-York, and prepare for foreign service. He returned to Newport, 12th September; and on the 21st October, he was directed to receive on boord, Messrs. Ellsworth and Davie, our Envoys to the French Republic, and their suite, and to procced with them to any port in France, they might point out.

The Congress, captain Sever, and the Essex, captain Edward Preble, were ordered (11th December,) to Batavia, taking under their protection, any merchant vessels requiring convoy, that might join them in time; and they were directed to cruise in the neighborhood of Batavia, "particularly in the straits of Sunda," till our merchant vessels should be ready to return to the United States—when they were to take them under convoy, and see them safe home. On her voyage out, the Congress was dismasted and compelled to return. The Essex, however, proceeded on the voyage, performed the important service assigned to her, in a manner perfectly satisfactory to the government, and returned to New York, 28th November, 1800.

No. 7.

On the 5th September, 1799, *the following circular instructions were addressed to the commanders of our public ships, by Mr. Secretary Stoddert.*

"By an act of Congress, passed on the 22d March, 1794, entitled "an act to prohibit the carrying on the slave trade from the United States to any foreign place or country," it is directed "that no citizen or citizens of the United States, or foreigner, or other person coming into or residing within the same, shall, for himself or any other person whatsoever, either as master, factor or owner, build, fit, equip, load or otherwise prepare, any ship or vessel within any port or place of the said United States, nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of carrying on any trade or traffic, in slaves to any foreign country; or for the purpose of procuring from any foreign kingdom, place or country, the inhabitants of such kingdom, place or country, to be transported to any foreign

country, port or place whatever, to be sold or disposed of as slaves; and if any ship or vessel shall be so fitted out as aforesaid, for the said purpose, or shall be caused to sail as aforesaid, every such ship or vessel, her tackle, furniture, apparel and other appurtenances, shall be forfeited to the United States; and shall be liable to be seized, prosecuted and condemned in any of the circuit courts, or district court for the district, where the said ship or vessel may be found and seized."

"It being represented to me, that infractions of the act above recited, have of late been frequently committed; and it being the duty of all public officers to lend their aid in supporting the just authority of the laws, you are hereby particularly instructed and required to report to this Department, the names and description of all vessels, whether American or foreign, which shall have been fitted out in ports of the United States, or which shall at any time be discovered by you, to have contravened the above recited act. In your said reports, you will be pleased to specify, in respect to American vessels, their tonnage; the names and residence of their owners; the ports of departure from the United States; the number of slaves on board, and to what port destined for sale."

"B. STODDERT, *Secretary of the Navy.*"

On the 14th December, 1799, an event occurred, which excited the deepest affliction throughout the union—when "the first in war—first in peace, and first in the hearts of his fellow citizens" was taken from us. The Navy mourned with the nation at the afflicting bereavement

The following orders were issued.

GENERAL ORDERS TO THE OFFICERS OF THE NAVY AND MARINES.

The President, with deep affliction announces to the Navy and to the Marines, the death of our beloved fellow citizen GEORGE WASHINGTON, Commander of our armies, and late President of the United States, but rendered more illustrious by his eminent virtues, and a long series of most important services, than by the honors which his grateful country delighted to confer upon him.

Desirous that the Navy and Marines should express, in common with every other description of American citizens, the high sense which all feel of the loss our country has sustained in the death of this good and great man, the President directs that the vessels of the Navy, in our own and foreign ports, be put in mourning for one week, by wearing their colors half mast high; and that the officers of the Navy and of Marines, wear crape on the left arm, below the elbow, for six months.

Navy Department, 20th December, 1799.

BEN. STODDERT.

CHAPTER VIII.

Effect of decisive measures upon France—Decrees and indications of a more pacific policy—Another mission to France decided on—Sanguinary decree of 29th October, 1798—Assurances from the French Government as to the reception of our ministers—Policy of another mission—General view of the arguments for and against—President Adams' speech of 3d December, 1799—Legislative measures during the session, from 2d December, 1779, to 14th May, 1800.

Soon after Congress had authorized the equipment and employment of the frigates, the United States, Constitution, and Constellation, [27th March, 1798,] the building, purchasing, or hiring, fitting out and manning, twelve ships of twenty-two guns each, [April 18,] and the purchasing or building, and employing, a number of small vessels of war, [May 4]; and had passed the act more effectually to protect the commerce and coasts of the United States, [May 28,] and the act suspending commercial intercourse with France and her dependencies, [June 12,] the tone of the French government appears to have been changed. These defensive preparations indicated a decisive policy, which the recent failure of the measures taken by the government of the United States, towards an amicable adjustment of differences, would tend to confirm and invigorate,* and would probably lead to a state of open war, unless averted by a change of policy, and a more conciliatory conduct on the part of the French government, whose interest it was to avoid a war with us. We may hence, satisfactorily, we think, account for the disposition manifested by Mr. Talleyrand, after our envoys had left France, or were on their way home, in his letter to Mr. Gerry, of which the following is an extract; and the decrees of the Executive Directory, of the 31st July and 16th August, 1798, had their origin, no doubt, in the same considerations.

*President Adams, in his message of 21st June, 1798, announcing the arrival of general Marshall, one of our late envoys, in the United States, "where he is justly held in honor," observes, "I will never send another minister to France, without assurances that he will be received, respected, and honored, as the representative of a great, free, powerful, and independent nation."

Ch. Mau. Talleyrand, Minister of Exterior Relations, &c. to Mr. Gerry.—Paris, 4 Thermidor, 6th year of the French Republicone and indivisible, (July 22d, 1798.)

"By information which the government has just received, it indeed learns, that violences have been committed upon the commerce and citizens of the United States in the West Indies, and on their coasts. Do it the justice to believe that it needs only to know the facts, to disavow all acts contrary to the laws of the Republic and its own decrees. A remedy is preparing for it, and orders will soon arrive in the West Indies, calculated to cause every thing to return within its just limits."

This remedy was the following decree, communicated by another letter from Mr. Talleyrand, to Mr. Gerry, dated, 3d August, 1798; in which he assures Mr. Gerry, that the "solicitude" of the Executive Directory will not be confined to this decree; adding, "it depends upon the United States, in particular, to cause every misunderstanding immediately to disappear between them and the French republic."

Paris, 13th Thermidor, 6th year of the Republic, (31st July, 1798.)

"The Executive Directory having heard the report of the Minister of Marine and the Colonies:—

"Considering that information recently received from the French colonies and the continent of America, leave no room to doubt, that French cruizers, or such as call themselves French, have infringed the laws of the republic, relative to cruizing and prizes.

"Considering that foreigners and pirates, have abused the latitude allowed at Cayenne, and in the West Indian islands, to vessels fitted out for cruizing, or for war and commerce, in order to cover with the French flag, their extortions, and the violation of the respect due to the law of nations; and to the persons and properties of allies and neutrals; decrees:—

"*Article* 1. Hereafter no letters of marque, authorizations, or permissions to fit out vessels, either for cruizing, or for war and commerce, shall be issued in the colonies of America, but by the special agents of the Directory themselves, who shall not delegate that power to any one; they shall exercise it only in favor of owners of vessels, whose principles and responsibility, are known to them; and they shall be bound to conform themselves to all the laws relative to cruizing and prizes, and especially to those of 1st October, 1793.

"*Article* 2. All letters of marque, authorizations, or permissions granted in the colonies of America, by the particular agents of the Executive Directory, and all other agents, civil and military, under their orders, to fit out vessels, either for cruizing, or for war and commerce, shall be considered as not having been done, after the 30th day from the publication of the present decree in the said colonies.

"*Article* 3. All agents and other deputies in the neutral possessions appointed to decide, there, upon the validity of prizes, taken by the French cruizers, and who shall be suspected of having a direct or indirect interest in the vessels fitted out for cruizing, or for war and commerce, shall be immediately recalled.

"*Article* 4. The special agents of the Executive Directory at Cayenne, St. Domingo and Guadaloupe, shall studiously take care that the interests and property of vessels belonging to neutrals or allies, be scrupulously respected; and they shall in no case bargain for their cargoes, but by mutual consent and to the full and entire satisfaction of the contracting parties.

"*Article* 5. The said special agents of the Executive Directory, the commanders of all vessels of the Republic, the consuls, the vice-consuls, and all others invested with power for that purpose, shall cause to be arrested and punished, according to the laws, all those who shall contravene the provisions of the present decree, which shall he printed in the bulletin of the laws, and with the execution of which the ministers of foreign relations and of the marine and the colonies are charged.

For a true copy, as the President of the Executive Directory, MERLIN.

By the Executive Directory, as the Secretary General, TREILHARD.

For a true copy—The minister of Exterior Relations, CH. MAU. TALLEYRAND.

By the Minister—the Secretary General, PAGANES."

DEPARTMENT OF EXTERIOR RELATIONS.

LIBERTY!!! *EQUALITY*!!!

Extract from the Register of the decrees of the Executive Directory, 29th Thermidor, 6th year of the Republic, 16th August, 1798.

The Executive Directory considering that notwithstanding the hostile manifestations of the government of the United States, which have occasioned a momentary embargo upon their vessels, it must be believed, that unless abandoned to the passions of the British Cabinet, that government, faithful to the interests of the American nation, will take measures conformable to the pacific dispositions of the French Republic, after it shall receive a confirmation of them:

And wishing to pursue the friendly and fraternal habits of France towards a people whose liberty it defended—decrees as follows:

Art. 1st. The embargo laid upon the American vessels, shall be immediately raised.

Art. 2d. The Minister of Marine, and of the colonies, is charged with the execution of the present decree, which shall not be printed.

For a true copy,
As President of the Executive Directory,
MERLIN.

By the Executive Directory, as Secretary General.
I. M. REVEILLERE LEPEAUX.

For a true copy,
The Minister of Exterior Relations,
CH. MAU. TALLEYRAND.

Mr. Talleyrand, minister of exterior relations, in a letter to Mr. Pichon, French secretary of legation at the Hague, dated Paris, 28th August, 1798, adverting to certain political conversations between Mr. Pichon and our minister resident at the Hague, Mr. Murray, expresses his pleasure on the occasion, and observes, that the two nations were not divided, either by incompatible interests or projects of aggrandizement; that distrust alone had produced the whole misunderstanding between them; that republics, founded on the system of representation, ought to support each other. "The stability of this system abroad is a necessary example at home." The French nation, he continues, never thought of making war against the United States. "We want nothing but justice on the part of the United States; we ask it, we offer it to their government, it may depend upon the candor of the Executive Directory."

And in another letter to the same, dated 28th September, 1798, he observes, "I do not regret that you have trusted to Mr. Murray's honor a copy of my letter," of 28th ult. "You were right to assert, that whatever plenipotentiary the government of the United States might send to France, in order to terminate the existing differences between the two countries, he would be undoubtedly received with the respect due to the representative of a free, independent, and powerful nation."

These, and other indications, on the part of the French republic, of a disposition to settle its differences with the United States by amicable discussion, satisfied our minister at the Hague, William Vans Murray, Esq. that another attempt to negotiate a treaty, might result favorably. He accordingly transmitted to the Secretary of State, the evidences he had received, of the disposition on the part of the French republic to enter into a negotiation; and the President of the United States finally decided to meet the advances made, by a nomination of ministers, who were not, however, to set out upon their mission, until they should receive from the French Directory, direct and unequivocal assurance, signified by their

secretary of foreign relations, that they should enjoy all the prerogatives attached to their character by the law of nations, and that a minister, or ministers, of equal powers, should be appointed and commissioned to treat with them. Oliver Ellsworth, chief justice of the United States, Patrick Henry, late governor of Virginia, and W. V. Murray, were accordingly appointed envoys extraordinary and ministers plenipotentiary, with full powers to discuss and settle, by a treaty, all controversies between the United States and France.

Mr. Henry, in consequence of his "advanced age and increasing debility," was compelled to decline serving his country on this occasion. In his letter upon this subject he stated, "that nothing short of absolute necessity could induce me to withhold my little aid from an administration, whose abilities, patriotism, and virtue, deserve the gratitude and reverence of all their fellow citizens." W. A. Davie, Esq. of North Carolina, was appointed to supply the vacancy thus occurring.

Professing, as the minister of exterior relations did on numerous occasions, in his official communications to our envoys, and particularly to Mr. Gerry, as well as in his confidential communications to Mr. Pichon, secretary of legation of the French republic, near the Batavian republic, the most friendly dispositions, and apprized as he was, of the American government having appointed new ministers to proceed to the court of France, for the purpose of entering upon a negotiation, for the adjustment of the existing differences between the two powers, and knowing that our ministers were only waiting for a direct and unequivocal assurance from him, that they would be received and treated with the respect due to their station, and that ministers would be appointed on the part of the French government to treat with them, to embark and proceed on their voyage; it appears incredible, that the Executive Directory should have passed a decree so contrary to the usages of civilized nations, so insulting and cruel, as the following, which was communicated to Congress, by message, on the 28th January, 1799:

October 29, 1798. The Executive Directory, upon the report of the minister of foreign relations, considering that the fleets, privateers, and ships of England and Russia are, in part, equipped by foreigners—

Considering that this violation is a manifest abuse of the rights of nations, and that the powers of Europe have not taken any measures to prohibit it, decrees:—

1st. Every individual, native (ou originaire,) of friendly countries, allied to the French republic or neutral, bearing a commission granted by the enemies of France, or making part of the crews of ships of war and others, enemies, shall be, by this single fact, declared a pirate, and treated as such, without being permitted, in any case, to alledge that he had

been forced into such service, by violence, threats, or otherwise.

2d. The Executive Directors of the Batavian, Ligurian, Cisalpine, and Roman Republics shall be instructed to this effect.

3d. The provisions contained in the first article, shall be notified to those powers which are neutral, or allied to the French republic.

4th. The minister of exterior relations is charged with the execution of the present arret, which shall be printed in the bulletins of the laws.

The execution of this attrocious decree, was a few days after its passage, postponed; but it left in force the arret of the Executive Directory, of 2d March, 1797, which subjected "explicitly and exclusively American seamen to be treated as spies, if found on board ships of the enemies of France."

The Secretary of State, in a letter to Mr. Murray, dated 6th March, 1799, enclosed him a commission, constituting him in conjunction with Mr. Ellsworth, and Mr. Henry, of Virginia, envoys extraordinary, and ministers plenipotentiary to the French republic; with full powers to discuss and settle by a treaty, all controversies between the United States and France; but, says he, Mr. Ellsworth and Mr. Henry,* "will not embark for Europe, until they shall have received from the Executive Directory, direct and unequivocal assurances, signified by their Secretary of foreign relations, that the envoys shall be received in character, to an audience of the Directory; and that they shall enjoy all the prerogatives attached to that character by the law of nations; and that a minister or ministers of equal powers, shall be appointed and commissioned to treat with them." On the 12th May, 1799, frank and explicit assurances were given, in a letter from Mr. Talleyrand to Mr. Murray, that the French directory would "receive the envoys of the United States, in the official character with which they are invested; that they shall enjoy all the prerogatives which are attached to it by the law of nations, and that one or more ministers shall be authorized to treat with them;" and Mr. Murray communicated to our government the fact of such assurances having been given.

On the 21st October, 1799, the frigate United States, commodore Barry, was ordered to be held in readiness to receive our envoys, Messrs. Ellsworth and Davie, who embarked at Newport, (Rhode Island,) on the 3d November following, and proceeded on their voyage to France.

The sending another mission to France, after our pacific overtures had been so repeatedly and insultingly rejected by that government, was considered by many able and upright men, as an act, in the highest degree, humiliating, and emi-

* Mr. Davie, was afterwards substituted in the commission, for Mr. Henry.

nently calculated to degrade our national character in the eyes of the world; and worse, to lesson us in our own esteem. If, said they, the French government be really and truly disposed to treat with us upon fair and honorable principles, let them send ministers to us. The assurances which that government has given, that our ministers will be received, should only be considered as an assurance that in its gracious condescension, it will be pleased not again to insult us; and, it is not honorable, either to ask or receive such an assurance; particularly when we have arms in our hands, and are prepared to avenge an insult. Two of our ministers, Pinckney and Marshall, distinguished for their patriotism and eminent talents, have been personally illtreated and insulted. Let us not subject others to similar treatment, and our nation to similar dishonor. Let us confide in the energy of our arms, and give to France and the world, a proof that our desire to cultivate peace, shall not be carried so far, as to make us compromise the dignity of the nation. These, and other similar arguments were used, and strenuously defended in many of the public gazettes; and, it is believed, that at one period, the American people were nearly equally divided in opinion, as to the expediency of this mission.

Those who advocated the mission, contended that the national honor was effectually saved, by France having complied with the prerequisites demanded of her—that making the demand, after the repeated declarations on the part of the French minister, of exterior relations, of the pacific dispositions of his government, might be considered as distrusting the honor of that government, with more propriety than it could be considered dishonoring ourselves—that the French government, had made overtures through our minister at the Hague, which if met by a friendly conciliatory policy, on our part, would probably result in peace—that the assurances of our minister's being received, respected, and honored, as the representatives of a great, free, powerful, and independent nation, were given in a manner, so explicit, as to forbid the supposition, that they would not be faithfully observed—that France had, at one period, generously, magnanimously, and essentially aided us—that she was now contending with powerful armies and fleets, and incessantly occupied, "with the most pressing cares in Europe"—that she was greatly embarrassed by the heavy disbursements, incident to a bloody and protracted war, and might well be excused from sending ministers to our country—that if we really wished peace, a fair opportunity now offered of obtaining it on acceptable terms—that if we refused or neglected to avail ourselves of this opportunity, war would probably be the consequence.—It was, it is presumed, upon these grounds, that President Adams, with the concurrence of his constitutional advisers, the Senate of the United States, determined in favor of the mission to

France. He selected for this, as he had done on the previous occasion, gentlemen whose characters, were "sure pledges to their country, that nothing incompatible with its honor, or interest, nothing inconsistent with our obligations of good faith or friendship to any other nation, would be stipulated."

In his speech, of 3d December, 1899, President Adams observes:

"At a period like the present, when momentous changes are occurring, and every hour is preparing new and great events in the political world; when a spirit of war is prevalent in almost every nation, with whose affairs the interests of the United States have any connection, unsafe and precarious would be our situation, were we to neglect the means of maintaining our just rights. The result of the mission to France is uncertain: but, however it may terminate, a steady perseverance in a system of national defence, commensurate with our resources, and the situation of our country, is an obvious dictate of wisdom. For, remotely as we are placed from the belligerent nations, and desirous as we are by doing justice to all, to avoid offence to any; nothing short of the power of repelling aggressions, will secure to our country a rational prospect of escaping the calamities of war, or national degradation. As to myself, it is my anxious desire so to execute the trust reposed in me, as to render the people of the United States prosperous and happy. I rely, with entire confidence, on your co-operation in objects equally your care; and that our mutual labors will serve, to increase and confirm union among our fellow citizens, and an unshaken attachment to our government."

In the spirit of peace and humanity, President Adams had determined upon the mission to France; and in the same spirit, he at the same time recommended, that we should steadily persevere in the system of national defence, which had been commenced, well knowing, that a state of preparation for war, was the best guarantee of peace.

During the session of Congress, which commenced December 2, 1799, and ended 14th May, 1800, the following laws, having relation to the navy, were passed:

1800, February 27. "An act further to suspend the commercial intercourse between the United States and France."

This act suspended all commercial intercourse between the United States and the French republic, or its dependencies, from and after the 2d March, 1800; and prescribed the necessary penalties to enforce the observance of its provisions. It however clothed the President with power to discontinue its

restraints and prohibitions, "in respect to the territories of the French republic, or to any island, port, or place, belonging to the said republic, with which, in his opinion, a commercial intercourse may be safely renewed."

The provisions of this act were not to be so construed as to annul the order or proclamation of the President, issued on the 26th June, 1799, allowing intercourse with Cape Francois and Port-au-Prince.

The act authorized the President to give instructions to the public armed vessels of the United States, to stop and examine any vessel of the United States on the high seas, which they might have reason to suspect of being engaged in any traffic or commerce, contrary to its provisions; and to send such suspected vessels into the nearest convenient port of the United States, for adjudication.

This act was to continue in force till the 3d March, 1801.

1800, March 3. "An act providing for salvage in cases of recapture."

This act provided for recapture of a vessel, other than a vessel of war or a privateer, belonging to any person or persons, resident within, or under the protection of, the United States, taken by an enemy of the United States, or under authority from any government, against which the United States had authorized, or should authorize, defence or reprisals, if retaken by a public vessel of the United States, prior to condemnation as lawful prize by competent authority, one-eighth part; if retaken by a private vessel of the United States, one-sixth part, of the true value of vessel and cargo, after deducting all imposts and public duties to which the same should be liable. If the recaptured vessel should have been set forth and armed as a vessel of war, before such capture, or afterwards, before she was retaken, then her former owner or owners, were to pay to the recaptors, one moiety of the true value of such vessel of war.

If the recaptured vessel had belonged to the United States, then the Treasury of the United States was to pay the following salvage:

For the recapture of an unarmed vessel, by a private vessel of the United States, one sixth part; by a public armed vessel of the United States, one twelvth part of the true value thereof.

For the recapture of a public armed vessel, by a private vessel of the United States, one moiety; by a public armed vessel of the United States, one-fourth part of the true value thereof.

If the recaptured vessel belonged to any person or persons resident within the territory, and under the protection of any foreign government, in amity with the United States, and had been taken by an enemy of the United States, then the salvage was to be regulated by the laws or usages of such foreign go-

vernment in like cases; and if no such law or usage was known, then the salvage was to be as prescribed for the vessels belonging to citizens of the United States. These provisions, however, were not to be considered as contravening any treaty stipulations upon the subject.

The salvage accruing to public armed vessels of the United States, to be divided in the proportions prescribed by law, respecting the distribution of prize-money. When accruing to any private armed vessel, then the division was to be made according to their agreements; or if no agreements existed, the court having jurisdiction of the case were to decide.

April 22d, 1800. "*An act fixing the rank and pay of the commanding officer of the corps of marines.*"

This act authorized the appointment of a lieutenant colonel commandant, to command the Corps of Marines, with the pay and emoluments of a lieut colonel in the army; and abolished the office of major of the Marine Corps.

An ACT for the better government of the Navy of the United States.

Exemplary conduct incumbent on commanders.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the first day of June next, the following rules and regulations be adopted and put in force, for the government of the navy of the United States.

Article 1. The commanders of all ships and vessels of war belonging to the navy, are strictly enjoined and required to show in themselves a good example of virtue, honor, patriotism, and subordination; and be vigilant in inspecting the conduct of all such as are placed under their command; and to guard against, and suppress, all dissolute and immoral practices, and to correct all such as are guilty of them, according to the usages of the sea service.

Divine service and preaching.

Article 2. The commanders of all ships and vessels in the navy, having chaplains on board, shall take care that divine service be performed in a solemn, orderly, and reverent manner, twice a day, and a sermon preached on Sunday, unless bad weather, or other extraordinary accidents prevent it; and that they cause all, or as many of the ship's company as can be spared from duty, to attend at every performance of the worship of Almighty God.

Punishment of certain scandalous offences.

Article 3. Any officer, or other person in the navy, who shall be guilty of oppression, cruelty, fraud, profane swearing, drunkeness, or any other scandalous conduct, tending to the destruction of good morals, shall, if an officer, be cashiered, or suffer such other

punishment as a court martial shall adjudge; if a private, shall be put in irons, or flogged, at the discretion of the captain, not exceeding twelve lashes; but if the offence require severer punishment, he shall be tried by a court martial, and suffer such punishment as said court shall inflict.

Article 4. Every commander or other officer who shall, upon signal for battle, or on the probability of an engagement, neglect to clear his ship for action, or shall not use his utmost exertions to bring his ship to battle, or shall fail to encourage, in his own person, his inferior officers and men to fight courageously, such offender shall suffer death, or such other punishment as a court martial shall adjudge; or any officer neglecting, on sight of any vessel or vessels of an enemy, to clear his ship for action, shall suffer such punishment as a court martial shall adjudge: And if any person in the navy shall treacherously yield, or pusillanimously cry for quarters, he shall suffer death, on conviction thereof by a general court martial.

Penalties on the breach of duty in respect of attack and battle.

Article 5. Every officer or private who shall not properly observe the orders of his commanding officer, or shall not use his utmost exertions to carry them into execution, when ordered to prepare for, join in, or when actually engaged in battle; or shall, at such time, basely desert his duty or station, either then, or while in sight of an enemy, or shall induce others to do so, every person so offending shall, on conviction thereof by a general court martial, suffer death, or such other punishment as the said court shall adjudge.

Article 6. Every officer or private who shall, through cowardice, negligence, or disaffection, in time of action, withdraw from, or keep out of battle, or shall not do his utmost to take or destroy every vessel which it is his duty to encounter, or shall not do his utmost endeavour to afford relief to ships belonging to the United States, every such offender shall, on conviction thereof by a general court martial, suffer death, or such other punishment as the said court shall adjudge.

Article 7. The commanding officer of every ship or vessel in the navy, who shall capture, or seize upon any vessel as a prize, shall carefully preserve all the papers and writings found on board, and transmit the whole of the originals unmutilated to the judge of the district to which such prize is ordered to proceed, and shall transmit to the Navy Department, and to the agent appointed to pay the prize money;

Papers to be transmitted respecting captures.

complete lists of the officers and men entitled to a share of the capture, inserting therein the quality of every person's rating, on pain of forfeiting his whole share of the prize money resulting from such capture, and suffering such further punishment as a court martial shall adjudge.

Penalty on pillaging a prize, or maltreating the persons on board the same.

Article 8. No person in the navy shall take out of a prize, or vessel seized as prize, any money, plate, goods, or any part of her rigging, unless it be for the better preservation thereof, or absolutely necessary for the use of any of the vessels of the United States, before the same shall be adjudged lawful prize by a competent court; but the whole, without fraud, concealment, or embezzlement, shall be brought in, and judgment passed thereon upon pain that every person offending herein, shall forfeit his share of the capture, and suffer such further punishment as a court martial, or the court of admiralty in which the prize is adjudged, shall impose.

Article 9. No person in the navy shall strip off their clothes, or pillage, or in any manner maltreat persons taken on board a prize, on pain of such punishment as a court martial shall adjudge.

Intercourse with enemies and rebels.

Article 10. No person in the navy shall give, hold, or entertain any intercourse or intelligence to or with any enemy or rebel, without leave from the President of the United States, the Secretary of the Navy, the commander in chief of the fleet, or the commander of a squadron; or in case of a vessel acting singly, from his commanding officer, on pain of death, or such other punishment as a court martial shall adjudge.

Article 11. If any letter or message from an enemy or rebel, be conveyed to any officer or private of the navy, and he shall not, within twelve hours, make the same known, having opportunity so to do, to his superior or commanding officer; or if any officer commanding a ship or vessel, being acquainted therewith, shall not with all convenient speed, reveal the same to the commander in chief of the fleet, commander of a squadron, or other proper officer whose duty it may be to take cognizance thereof, every such offender shall suffer death, or such other punishment as a court martial shall adjudge.

Mutiny and sedition.

Article 12. Spies, and all persons who shall come or be found in the capacity of spies, or who shall bring or deliver any seducing letter or message from an enemy or rebel, or endeavour to corrupt any person in the navy to betray his trust, shall suffer death or such other punishment as a court martial shall adjudge.

Article 13. If any person in the navy shall make, or attempt to make, any mutinous assembly, he shall, on conviction thereof by a court martial suffer death; and if any person as aforesaid shall utter any seditious or mutinous words, or shall conceal or connive at any mutinous or seditious practices, or shall treat with contempt his superior, being in the execution of his office; or being witness to any mutiny or sedition, shall not do his utmost to suppress it, he shall be punished at the discretion of a court martial.

Disobedience of orders and assault of a superior officer.

Article 14. No officer or private in the navy shall disobey the lawful orders of his superior officer, or strike him, or draw or offer to draw, or raise any weapon against him, while in the execution of the duties of his office, on pain of death, or such other punishment as a court martial shall inflict.

Quarreling.

Article 15. No person in the navy shall quarrel with any other person in the navy, nor use provoking or reproachful words, gestures, or menaces, on pain of such punishment as a court martial shall adjudge.

Desertion.

Article 16. If any person in the navy shall desert to any enemy or rebel, he shall suffer death.

Article 17. If any person in the navy shall desert, or shall entice others to desert, he shall suffer death, or such other punishment as a court martial shall adjudge; and if any officer, or other person belonging to the navy, shall receive or entertain any deserter from any other vessel of the navy, knowing him to be such, and shall not, with all convenient speed, give notice of such deserter to the commander of the vessel to which he belongs, or to the commander in chief, or the commander of the squadron, he shall on conviction thereof be cashiered, or be punished at the discretion of a court martial. All offences committed by persons belonging to the navy while on shore, shall be punished in the same manner as if they had been committed at sea.

Offences committed on shore.

Fraud, against the United States.

Article 18. If any person in the navy shall knowingly make or sign, or shall aid, abet, direct, or procure the making or signing of any false muster, or shall execute, or attempt, or countenance any fraud against the United States, he shall, on conviction, be cashiered and rendered forever incapable of any future employment in the service of the United States, and shall forfeit all the pay and subsistence due him, and suffer such other punishment as a court martial shall inflict.

Article 19. If any officer, or other person in the

Improper navigation of vessels.

navy, shall, through inattention, negligence, or any other fault, suffer any vessel of the navy to be stranded, or run upon rocks or shoals, or hazarded, he shall suffer such punishment as a court martial shall adjudge.

Negligence in the performance of duty, &c.

Article 20. If any person in the navy shall sleep upon his watch, or negligently perform the duty assigned him, or leave his station before regularly relieved, he shall suffer death, or such punishment as a court martial shall adjudge; or if the offender be a private, he may, at the discretion of the captain, be put in irons, or flogged not exceeding twelve lashes.

Murder.

Article 21. The crime of murder, when committed by any officer, seaman, or marine, belonging to any public ship or vessel of the United States, without the territorial jurisdiction of the same, may be punished with death, by the sentence of a court martial.

Duties in relation to convoy.

Article 22. The officers and privates of every ship or vessel, appointed as convoy to merchant or other vessels, shall diligently and faithfully discharge the duties of their appointment, nor shall they demand or exact any compensation for their services, nor maltreat any of the officers or crews of such merchant or other vessels, on pain of making such reparation as a court of admiralty may award, and of suffering such further punishment as a court martial shall adjudge.

Penalty on receiving merchandize on board.

Article 23. If any commander or other officer shall receive or permit to be received, on board his vessel, any goods or merchandize, other than for the sole use of his vessel, except gold, silver, or jewels, and except the goods or merchandize of vessels which may be in distress, or shipwrecked, or in imminent danger of being shipwrecked, in order to preserve them for their owner, without orders from the President of the United States or the Navy Department, he shall, on conviction thereof, be cashiered, and be incapacitated forever afterwards, for any place or office in the navy.

Waste, embezzlement, &c. of public property.

Article 24. If any person in the navy shall waste, embezzle, or fraudulently buy, sell, or receive any ammunition, provisions, or other public stores; or if any officer or other person shall, knowingly, permit through design, negligence, or inattention, any such waste, embezzlement, sale or receipt, every such person shall forfeit all the pay and subsistence then due him, and suffer such further punishment as a court martial shall direct.

Article 25. If any person in the navy shall unlawfully set fire to or burn any kind of public property, not then in the possession of an enemy, pirate, or rebel, he shall suffer death: And if any person shall, in any other manner, destroy such property, or shall not use his best exertions to prevent the destruction thereof by others, he shall be punished at the discretion of a court martial.

Theft.

Article 26. Any theft not exceeding twenty dollars may be punished at the discretion of the captain, and above that sum, as a court martial shall direct.

Offences against people on shore.

Article 27. If any person in the navy shall, when on shore, plunder, abuse, or maltreat any inhabitant, or injure his property in any way, he shall suffer such punishment as a court martial shall adjudge.

Detection and apprehension of offenders.

Article 28. Every person in the navy shall use his utmost exertions to direct, apprehend, and bring to punishment all offenders, and shall, at all times, aid and assist all persons appointed for this purpose, on pain of such punishment as a court martial shall adjudge.

Muster rolls and ships books.

Article 29. Each commanding officer shall, whenever a seaman enters on board, cause an accurate entry to be made in the ship's books, of his name, time, and term of his service; and before sailing, transmit to the Secretary of the Navy, a complete list or muster roll of the officers and men under his command, with the date of their entering, time and terms of their service annexed; and shall cause similar lists to be made out on the first day of every second month, to be transmitted to the Secretary of the Navy, as opportunities shall occur; accounting in such lists or muster rolls, for any casualties which may have taken place since the last list or muster roll. He shall cause to be accurately minuted on the ship's books, the names of, and times at which any death or desertion may occur; and in case of death, shall take care that the purser secure all the property of the deceased for the benefit of his legal representative or representatives. He shall cause frequent inspections to be made into the condition of the provisions, and use every precaution for its preservation. He shall, whenever he orders officers and men to take charge of a prize, and proceed to the United States, and whenever officers or men are sent from his ship for whatever cause, take care that each man be furnished with a complete statement of his account, specifying the date of his enlistment, and the period and terms of his service; which account shall be signed by the commanding officer and

Inspection of provisions.

Officers and men detach-

ed from the ship to be furnished with certain statements.

purser. He shall cause the rules for the government of the navy to be hung up in some public part of the ship, and read once a month to his ship's company.

Rules to be hung up and read.

He shall cause a convenient place to be set apart for sick or disabled men, to which he shall have them removed, with their hammocks and bedding when the surgeon shall so advise, and shall direct that some of the crew attend them and keep the place clean; and if necessary, shall direct that cradles, and buckets with covers, be made for their use: And when his crew is finally paid off, he shall attend in person, or appoint a proper officer, to see that justice be done to the men, and to the United States, in the settlement of the accounts: Any commanding officer, offending herein, shall be punished at the discretion of a court martial.

Treatment of the sick.

Paying off.

Article 30. No commanding officer shall, of his own authority, discharge a commissioned or warrant officer, nor strike, nor punish him otherwise than by suspension or confinement nor shall he, of his own authority, inflict a punishment on any private beyond twelve lashes with a cat-of-nine-tails, nor shall he suffer any wired, or other than a plain cat-of-nine-tails, to be used on board his ship; nor shall any officer who may command by accident, or in the absence of the commanding officer (except such commander be absent for a time by leave) order or inflict any other punishment than confinement, for which he shall account on the return of such absent commanding officer. Nor shall any commanding officer receive on board any petty officers or men turned over from any other vessel to him, unless each of such officers and men produce to him an account signed by the captain and purser of the vessel from which they came, specifying the date of such officer's or man's entry, the period and terms of service, the sums paid and the balance due him, and the quality in which he was rated on board such ship. Nor shall any commanding officer, having received any petty officer or man as aforesaid, rate him in a lower or worse station than that in which he formerly served: Any commanding officer offendig herein, shall be punished at the discretion of a court martial.

Treatment of inferior officers and men.

Article 31. Any master at arms, or other person of whom the duty of master at arms is required, who shall refuse to receive such prisoners as shall be committed to his charge, or having received them shall suffer them to escape, or dismiss them without orders from proper authority, shall suffer in such prisoners' stead, or be punished otherwise at the discretion of a court martial.

Master at arms.

Article 32. All crimes committed by persons belonging to the navy, which are not specified in the foregoing articles, shall be punished according to the laws and customs in such cases at sea. Crimes not specified.

Article 33. All officers, not holding commissions or warrants, or who are not entitled to them, except such as are temporarily appointed to the duties of a commissioned or warrant officer, are deemed petty officers. Who are petty officers.

Article 34. Any person entitled to wages or prize money, may have the same paid to his assignee, provided the assignment be attested by the captain and purser; and in case of the assignment of wages, the power shall specify the precise time they commence. But the commander of every vessel is required to discourage his crew from selling any part of their wages or prize money, and never to attest any power of attorney, until he is satisfied that the same is not granted in consideration of money given for the purchase of wages or prize money. Assignment of wages and prize money.

NAVAL GENERAL COURTS MARTIAL.

Article 35. General courts martial may be convened as often as the President of the United States, the Secretary of the Navy, or the commander in chief of the fleet, or the commander of a squadron, while acting out of the United States, shall deem it necessary: *Provided*, that no general court martial shall consist of more than thirteen, nor less than five members, and as many officers shall be summoned on every such court as can be convened without injury to the service, so as not to exceed thirteen, and the senior officer shall always preside, the others ranking agreeably to the date of their commissions; and in no case, where it can be avoided without injury to the service, shall more than one half the members, exclusive of the president, be junior to the officer to be tried. Appointments of naval general courts martial.

Article 36. Each member of the court, before proceeding to trial, shall take the following oath or affirmation, which the Judge Advocate, or person officiating as such, is hereby authorized to administer.

"I, *A. B.* do swear or affirm, that I will truly try, without prejudice or partiality, the case now depending, according to the evidence which shall come before the court, the rules for the government of the navy, and my own conscience; and that I will not by any means divulge or disclose the sentence of the court, until it shall have been approved by the proper authority, nor will I at any time divulge or disclose Oath of members of general courts martial.

the vote or opinion of any particular member of the court, unless required so to do before a court of justice in due course of law."

This oath or affirmation being duly administered, the President is authorized and required to administer the following oath or affirmation to the Judge Advocate, or person officiating as such.

Oath of the judge advocate.

"I, *A. B.* do swear or affirm, that I will keep a true record of the evidence given to and the proceedings of this court; nor will I divulge or by any means disclose the sentence of the court until it shall have been approved by the proper authority; nor will I at any time divulge or disclose the vote or opinion of any particular member of the court, unless required so to do before a court of justice in due course of law."

Giving of testimony.

Article 37. All testimony given to a general court martial shall be on oath or affirmation, which the President of the court is hereby authorized to administer, and if any person shall refuse to give his evidence as aforesaid, or shall prevaricate, or shall behave with contempt to the court, it shall and may be lawful for the court to imprison such offender at their discretion; provided that the imprisonment in no case shall exceed two months: And every person who shall commit wilful perjury on examination on oath or affirmation before such court, or who shall corruptly procure, or suborn any person to commit such wilful perjury, shall and may be prosecuted by indictment or information, in any court of justice of the United States, and shall suffer such penalties as are authorized by the laws of the United States in cases of perjury or the subornation thereof. And in every prosecution for perjury or the subornation thereof under this act, it shall be sufficient to set forth the offence charged on the defendant, without setting forth the authority by which the court was held, or the particular matters brought or intended to be brought before the said court.

Exhibition of charges.

Article 38. All charges on which an application for a general court martial is founded, shall be exhibited in writing to the proper officer, and the person demanding the court shall take care that the person accused be furnished with a true copy of the charges, with the specifications, at the time he is put under arrest; nor shall any other charge or charges, than those so exhibited, be urged against the person to be tried before the court, unless it appear to the court that intelligence of such charge had not reached the person demanding the court, when the person so to be tried

was put under arrest, or that some witness material to the support of such charge, who was at that time absent, can be produced; in which case, reasonable time shall be given to the person to be tried to make his defence against such new charge. Every officer so arrested is to deliver up his sword to his commanding officer, and to confine himself to the limits assigned him, under pain of dismission from service.

Treatment of an arrested officer.

Article 39. When the proceedings of any general court martial, shall have commenced, they shall not be suspended or delayed on account of the absence of any of the members, provided five or more be assembled; but the court is enjoined to sit from day to day, Sundays excepted, until sentence be given: And no member of said court shall, after the proceedings are begun, absent himself therefrom, unless in case of sickness, or orders to go on duty from a superior officer, on pain of being cashiered.

Continuance of general courts martial.

Article 40. Whenever a court martial shall sentence any officer to be suspended, the court shall have power to suspend his pay and emoluments for the whole, or any part of the time of his suspension.

Order of suspension.

Article 41. All sentences of courts martial, which shall extend to the loss of life, shall require the concurrence of two-thirds of the members present; and no such sentence shall be carried into execution, until confirmed by the President of the United States; or if the trial take place out of the United States, until it be confirmed by the commander of the fleet or squadron: All other sentences may be determined by a majority of votes, and carried into execution on confirmation of the commander of the fleet, or officer ordering the court, except such as go to the dismission of a commissioned or warrant officer, which are first to be approved by the President of the United States.

How sentences are to be given and confirmed.

A court martial shall not, for any one offence, not capital, inflict a punishment beyond one hundred lashes.

Article 42. The President of the United States, or when the trial takes place out of the United States, the commander of the fleet or squadron, shall possess full power to pardon any offence committed against these articles, after conviction, or to mitigate the punishment decreed by a court martial.

Pardon and mitigation of punishments.

Sec. 2. *Article* 1. *And be it further enacted,* That courts of enquiry may be ordered by the President of the United States, the Secretary of the Navy, or the commander of a fleet or squadron, provided such court shall not consist of more than three members

Courts of enquiry may be ordered.

who shall be commissioned officers, and a Judge Advocate, or person to do duty as such; and such courts shall have power to summon witnesses, administer oaths, and punish contempt in the same manner as courts martial. But such court shall merely state facts, and not give their opinion, unless expressly required so to do in the order for convening; and the party, whose conduct shall be the subject of enquiry, shall have permission to cross examine all the witnesses.

Article 2. The proceedings of courts of enquiry, shall be authenticated by the signature of the president of the court and Judge Advocate, and shall, in all cases not capital, or extending to the dismission of a commissioned or warrant officer, be evidence before a court martial, provided oral testimony cannot be obtained.

Oaths of the members and judge advocate.

Article 3. The Judge Advocate, or person officiating as such, shall administer to the members the following oath or affirmation:

"You do swear, or affirm, well and truly to examine and enquire according to the evidence, into the matter now before you, without partiality or prejudice."

After which, the President shall administer to the Judge Advocate, or person officiating as such, the following oath or affirmation:

"You do swear, or affirm, truly to record the proceedings of this court, and the evidence to be given in the case in hearing."

In case of loss of the vessel, the command of the officers shall remain in force.

Sec. 3. *And be it further enacted*, That in all cases, where the crews of the ships or vessels of the United States shall be separated from their vessels, by the latter being wrecked, lost or destroyed, all the command, power, and authority, given to the officers of such ships or vessels, shall remain and be in full force as effectually as if such ship or vessel were not so wrecked, lost, or destroyed, until such ship's company be regularly discharged from, or ordered again into the service, or until a court martial shall be held to enquire into the loss of such ship or vessel; and if by the sentence of such court, or other satisfactory evidence, it shall appear that all or any of the officers and men of such ship's company did their utmost to preserve her, and after the loss thereof behaved themselves agreeably to the discipline of the navy, then the pay and emoluments of such officers and men, or such of them as shall have done their duty as aforesaid, shall go on until their discharge or death; and every officer or private who

shall, after the loss of such vessel, act contrary to the discipline of the navy, shall be punished at the discretion of a court martial, in the same manner as if such vessel had not been so lost.

Pay of captives to continue.

SEC. 4. *And be it further enacted*, That all the pay and emoluments of such officers and men, of any of the ships or vessels of the United States taken by an enemy, who shall appear by the sentence of a court martial, or otherwise, to have done their utmost to preserve and defend their ship or vessel, and after the taking thereof, have behaved themselves obediently to their superiors, agreeably to the discipline of the navy, shall go on and be paid them until their death, exchange or discharge.

To whom the proceeds of prizes shall accrue.

SEC. 5. *And be it further enacted*, That the proceeds of all ships and vessels, and the goods taken on board of them, which shall be adjudged good prize, shall, when of equal or superior force to the vessel or vessels making the capture, be the sole property of the captors; and when of inferior force, shall be divided equally between the United States and the officers and men making the capture.

Distribution of prize money.

SEC. 6. *And be it enacted*, That the prize money, belonging to the officers and men, shall be distributed in the following manner:

I. To the commanding officers of fleets, squadrons, or single ships, three twentieths, of which the commanding officer of the fleet or squadron shall have one twentieth, if the prize be taken by a ship or vessel acting under his command, and the commander of single ships, two twentieths; but where the prize is taken by a ship acting independently of such superior officer, three twentieths shall belong to her commander.

II. To sea lieutenants, captains of marines, and sailing masters, two twentieths; but where there is a captain, without a lieutenant of marines, these officers shall be entitled to two twentieths and one third of a twentieth, which third, in such case shall be deducted from the share of the officers mentioned in article No. 3, of this section.

III. To chaplains, lieutenants of marines, surgeons, pursers, boatswains, gunners, carpenters, and masters mates, two twentieths.

IV. To midshipmen, surgeon's mates, captain's clerks, schoolmasters, boatswain's mates, gunner's mates, carpenter's mates, ship's stewards, sail makers, masters-at-arms, armourers, cockswains, and coopers, three twentieths and an half.

V. To gunner's yeomen, boatswain's yeomen, quarter masters, quarter gunners, sail makers mates, serjeants and corporals of marines, drummers, fifers, and extra petty officers, two twentieths and an half.

VI. To seamen, ordinary seamen, marines, and all other persons doing duty on board, seven twentieths.

VII. Whenever one or more public ships or vessels are in sight, at the time any one or more ships are taking a prize or prizes, they shall share equally in the prize or prizes, according to the number of men and guns on board each ship in sight.

No commander of a fleet or squadron shall be entitled to receive any share of prizes taken by vessels not under his immediate command; nor of such prizes as may have been taken by ships or vessels intended to be placed under his command, before they have acted under his immediate orders; nor shall a commander of a fleet or squadron, leaving the station where he had the command, have any share in the prizes taken by ships left on such station, after he has gone out of the limits of his said command.

Bounty given in certain cases.

SEC. 7. *And be it further enacted*, That a bounty shall be paid by the United States, of twenty dollars, for each person on board any ship of an enemy at the commencement of an engagement, which shall be sunk or destroyed by any ship or vessel belonging to the United States, of equal or inferior force, the same to be divided among the officers and crew in the same manner as prize money.

Pensions to persons disabled in the service.

SEC. 8, *And be it further enacted*, That every officer, seaman or marine, disabled in the line of his duty, shall be entitled to receive for life, or during his disability, a pension from the United States according to the nature and degree of his disability, not exceeding one half his monthly pay.

Appropriations of the part of captured property belonging to the United States.

SEC. 9. *And be it enacted*, That all money accruing, or which has already accrued to the United States from the sale of prizes, shall be and remain forever a fund for the payment of pensions and half pay, should the same be hereafter granted, to the officers and seamen who may be entitled to receive the same; and if the said fund shall be insufficient for the purpose, the public faith is hereby pledged to make up the deficiency; but if it should be more than sufficient, the surplus shall be applied to the making of further provision for the comfort of the disabled officers, seamen and marines, and for such as, though not disabled, may merit by their bravery, or long and faithful services, the gratitude of their country.

Sec. 10. *And be it further enacted*, That the said fund shall be under the management and direction of the Secretary of the Navy, the Secretary of the Treasury, and the Secretary of War, for the time being, who are hereby authorized to receive any sums to which the United States may be entitled from the sale of prizes, and employ and invest the same, and the interest arising therefrom, in any manner which a majority of them may deem most advantageous: And it shall be the duty of the said commisioners to lay before Congress, annually, in the first week of their session, a minute statement of their proceedings relative to the management of said fund.

Repeal of the former act.

Sec. 11. *And be it further enacted*, That the act passed the second day of March, in the year one thousand seven hundred and ninety-nine, entitled "An act for the government of the navy of the United States," from and after the first day of June next, shall be and hereby is repealed.

THEODORE SEDGWICK,
Speaker of the House of Representatives.
TH. JEFFERSON,
Vice-President of the United States, and President of the Senate.

Approved—April 23d, A. D. 1800.
JOHN ADAMS,
President of the United States.

May 10, 1800. *An act in addition the act, entitled "An act to prohibit the carrying on the Slave Trade, from the United States to any foreign place or country."*

This act prohibits any citizen of the United States, or other person residing within the United States, from holding or having, directly or indirectly, any right or property in any vessel, employed or made use of, in the transportation or carrying of slaves, from one foreign country or place to another; and declares that any right or property belonging to such person, shall be forfeited to the use of the person who shall sue for the same; and subjects the transgressor to the forfeiture and payment of a sum of money equal to double the value of the right or property in such vessel held by him, and to the forfeiture of a sum of money equal to double the value of the interest he may have had in the slaves.

It prohibits any citizen of the United States, or other person residing therein, from serving on board any vessel of the United States, employed or made use of in the transportation or carrying of slaves, from one foreign country or place to another; and subjects any person violating this prohibition, to a fine not exceeding two thousand dollars, and imprisonment not exceeding two years.

It declares, that any citizen voluntarily serving on board of any foreign ship or vessel, which shall hereafter be employed in the slave trade, shall, on conviction thereof, be liable to, and suffer the like forfeitures, pains, disabilities, and penalties, as he would have incurred, had such ship or vessel been owned or employed, in whole or in part, by any person or persons residing within the United States.

It declares that all persons interested in such vessel, or in the enterprize or voyage in which such vessel shall be employed at the time of such capture, shall be precluded from all right, or claim to the slaves, and from all damages or retribution on account thereof.

It enjoins upon the commanders of such commissioned vessels, to apprehend and take into custody, every person found on board of such vessel, being of the officers or crew, and to convey such persons to the civil authority of the United States, in some one of the districts, to be proceeded against in due course of law.

It gives to the district and circuit courts of the United States, cognizance of all acts and offences against its prohibitions:

This act is not to be construed to authorize the carrying into any state of the United States, any person or persons, whose importation is prohibited by the laws of such state.

The forfeitures under this act, or the act to which it is in addition, not otherwise disposed of, accrue, one moiety to the informer, the other to the use of the United States except in cases where the prosecution shall be first instituted, on behalf of the United States, when the whole amount "shall be to their use."

May 10. Appropriation law: appropriating $2,482,953 90 for the support of the navy, including the marine corps, during the year 1800.

CHAPTER IX.

Employment of ships—Action between the Constellation and the Vengeance—Officers of the Constellation—Truxtun's address after the action—Resolution of Congress in honor of Truxtun—Gold medal presented to him—Honorable notice of Midshipman Jarvis, who preferred death to an abandonment of his post—Commodore Talbot—Achievement of Lieutenant Hull—Captain Carmick and lieutenant Amory—Employment of vessels—Insurgente and Pickering lost—Berceau captured by captain Little—President Adams' speech, 22d November, 1800—Captain Derby—Herald, captain C. C. Russell, sent out with orders to our ships to return to the United States—Peace with France—The George Washington, captain Bainbridge, forced by the Dey of Algiers to proceed to Constantinople—Favorable impressions produced by captain Bainbridge—His generous conduct towards a number of French gentlemen and ladies at Algiers.

In January, 1800, the Richmond, Richard Law, was ordered to join commodore Talbot, at St. Domingo, and on the 21st March, 1800, the Trumbull, master commandant David Jewett, was ordered to the same station; and the Patapsco, Geddes, having been ordered home, and the General Greene, Perry, being then on her way to the United States, we find that the squadron on the St. Domingo station consisted of the following vessels of war, viz: March 1800.

The Constitution,	Talbot,
The Boston,	Little,
The Herald,	Russell,
The Augusta,	McElroy,
The Richmond,	Law,
The Trumbull,	Jewett,
The Experiment,	Maley.

The Merrimack, Brown, (28th January,) and the Enterprize, Shaw, (12th March, 1800) were ordered to the Gaudaloupe station; and commodore Truxtun having returned to the United States, the frigate Philadelphia, captain S. Decatur, senior, was ordered (5th April,) to that station; and captain Decatur was authorized to call on captain Rodgers, of the Maryland, then near Surrinam, to join him. The Patapsco, Geddes, was ordered (14th April) to the same station, so that the squadron arranged for the Gaudaloupe station, (April 1800,) consisted of,

The Philadelphia,	captain S. Decatur, senior,
Adams,	R. V. Morris,
John Adams,	G. Cross,
Connecticut,	M. Tryon,
Merrimack,	M. Brown.
Maryland,	J. Rodgers
Patapsco,	H. Geddes,
Baltimore,	W. Cowper,
Delaware,	Thomas Baker,
Eagle,	H. G. Campbell,
Enterprize,	J. Shaw,
Pickering,	B. Hillar,
Scammel,	M. Fernald.

The injury resulting to the service from entering crews to serve *one year* only, was sensibly experienced during this year. The vessels were continually returning to the United States, "to preserve the public faith with their crews," when it was all important for the protection of our commerce, that they should remain on the station. The French privateers, particularly those of Guadaloupe, availed themselves of the frequent absences of our vessels from their stations, and made a number of captures, many of which might have been prevented, if the law had permitted seamen to be entered for the public service for even two years.

The following circumstantial account of the engagement between the United States' frigate Constellation of thirty-eight guns, and a French national ship of fifty-four guns, on the 1st February, 1800, taken from commodore Truxtun's journal, will be received as a full set-off against the occasional captures of our merchant vessels made by the French cruizers.

Saturday, 1st February, 1800. "At half past seven, A. M. the road of Bassaterre, Gaudaloupe, bearing east, five leagues distance, saw a sail in the south east, standing to the westward, which from her situation, I at first took for a large ship from Martinico, and hoisted English colors on giving chase, by way of inducement for her to come down and speak me, which would have saved a long chase to leeward of my intended cruising ground; but finding she did not attempt to alter her course, I examined her more attentively as we approached her, and discovered her to be a heavy French frigate, mounting at least fifty-four guns; I immediately gave orders for the yards to be slung with chains, top-sail sheets, &c. stoppered, and the ship cleared ready for action, and hauled down the English colors. At noon the wind became light, and observed the chase that we had before been gaining fast on, held way with us; but I was determined to continue the pursuit, though the running to leeward, I was convinced, would be attended with many serious disadvantages, especially if the object of my wishes was not gratified."

"Sunday, 2d February. At 1, P. M. the wind being somewhat fresher than the noon preceding and an appearance of its continuance, our prospect of bringing the enemy to action began to brighten, as I perceived we were coming up with the chase fast, and every inch of canvass being set that could be of service, except the bag reefs, which I kept in the top-sails, in case of the enemy finding an escape from our thunder impracticable, should haul on a wind, and give us fair battle; but this did not prove to be her commander's intention: I however got within hail of him, at 8, P. M. hoisted our ensign, and had the candles in the battle lanthorns all lighted, and was in the lee gangway ready to speak to him, and to demand the surrender of his ship to the United States of America, when at that instant he commenced a fire from his stern and quarter guns, directed at our rigging and spars. No parley being then necessary, I sent my principal aid-de-camp, Mr. Vandyke, to the different officers commanding divisions on the main battery, to repeat strictly my orders before given, not to throw away a single charge of powder and shot, but to take good aim, and to fire directly into the hull of the enemy, and to load principally with two round shot, and now and then with a round shot and a stand of grape, &c. to encourage the men at their quarters, and to cause, or suffer no noise or confusion whatever, but to load and fire as fast as possible, when it could be done with certain effect."

"These orders being given, in a few moments I gained a position on his weather quarter, that enabled us to return effectually his salute, and thus as close, and as sharp an action as ever was fought between two frigates, commenced, and continued until within a few minutes of 1, A. M. when the enemy's fire was completely silenced, and he was again sheering off. It was at this moment that I considered him as my prize, and was trimming in the best manner I could, my much shattered sails, when I found the main mast was totally unsupported with rigging, every shroud being shot away, and some of them in many places, so as to render stoppers useless, which in fact could not be applied with effect. I then gave orders for all the men to be sent up from the gun deck to endeavour to secure the mast, in order that we might get along side of the enemy again as soon as possible; but every effort was in vain, for it went over the side in a few minutes after, and carried with it the topmen, among whom was an amiable young gentleman, who commanded the main top, Mr. James Jarvis, son of James Jarvis, Esq. of New-York. This young gentleman, it seems, was apprized of his danger by an old seaman, but he had already so much the principle of an officer engrafted on his mind, not to leave his quarters, that he replied, if the mast went, they must go with it, which was the case, and only one of them was saved. I regret much his loss, as a promising young officer, and amiable young man, as well as on

account of a long intimacy that has subsisted between his father and myself, but have great satisfaction in finding that I have lost no other, and only two or three were slightly wounded out of thirty-nine of the crew—killed and wounded; fourteen of the former, and twenty-five of the latter. As soon as the main mast went, every effort was made to clear the wreck from the ship as soon as possible, which was effected in about an hour; and as her security was then the great object, it being impossible to pursue the enemy, I immediately bore away for Jamaica, for repairs, &c. finding it impracticable to reach a friendly port in any of the islands to windward."

"I should be wanting in common justice, was I omit here to journalize the steady attention to order, and the great exertion and bravery shown, by all my officers, seamen and marines, in this action, many of whom I had sufficiently tried before, on a similar occasion, (the capture of the Insurgente,) and all their names are recorded in the muster roll I sent to the Secretary of the Navy, dated 19th December last, signed by myself."

"THOS. TRUXTUN."

The force of the Constellation was twenty-eight eighteen pound cannon, ten twenty-four pound carronades, three hundred and ten men—she had fourteen killed and twenty-six wounded—eleven of whom died of their wounds.

The force of the Vengeance was twenty-eight eighteen pounders, sixteen twelve pounders, and eight forty-two pound carronades, with four hundred and eighty men—she had fifty killed and one hundred and ten wounded.

The Constellation threw at each broadside three hundred and seventy-two pounds of metal. The Vengeance threw five hundred and sixteen; so that in each broadside the Vengeance had the advantage of the Constellation, by one hundred and forty-four pounds of metal.

The Constellation expended in this action,

2188 lbs. of powder,	
2376 musket cartridges,	
370 blunderbuss do.	
633 round-shot,	equal to 66 broadsides.
106 bar-shot,	
322 18 lb. cannister,	
168 24 lb. do.	

If the Vengeance fired as many broadsides, as the Constellation did, then during the action she threw nine thousand five hundred and four pounds more of metal; yet with more than three to two in her favor, as to men; she lost in killed and wounded, four times as many as the Constellation. Her loss

in these respects, exceeded in number, half of the crew of her opponent.

The Vengeance was commanded by captain Pitot, (capitaine de Vaisseau,) who maintained the conflict with great skill and bravery. She struck twice or three times during the action, but this was not discovered from the Constellation owing to the darkness of the night. Captain Truxtun's impression was that the Vengeance had sunk, and falling in with the Insurgente early next day, he communicated this opinion to her commander, captain Murray.

With respect to the armament of the Vengeance, and the number of her crew, the statement given is from a highly respectable officer, who was on board of the Constellation during the action. Both armament and crew are rather less than the accounts given at the time. Captain Truxtun's impression was that she mounted fifty-four guns; and Mr. Clarkson navy agent, at St. Kitts, in a letter to the Secretary of the Navy, of the 16th February, 1800, rated her at fifty-four guns, and stated that she had five hundred *picked* men. Mr. Phillips, who was at Curracoa, when the Vengeance arrived there after the action, in a letter to the Secretary of State, of 9th February, 1800, observed, "La Vengeance of *fifty-six* guns, bound from Guadaloupe to France, with a valuable cargo and a large sum of specie, arrived in a very distressed situation, having lost one hundred and sixty men killed and wounded, and her masts and rigging nearly all shot away, in an engagement of five hours, within pistol shot, with the Constellation."

Her decided superiority to the Constellation both in guns and men, is unquestionable; and let it be remembered that captain Truxtun pursued her, *with the knowledge that her force was grertly superior to his own.* There is merit in fighting and vanquishing a superior force, when compelled to fight; but this merit, is much enhanced by *seeking* such an encounter, and this belongs to captain Truxtun on this occasion, in addition to the victory.

The following commission and warrant officers were on board the Constellation at the time she had this action, viz:

Andrew Sterrett, 1st lieutenant.
Ambrose Shirley, 2d.do.
Saml. B. Brooks, 3d. do.
John H. Dent, 4th. do.
Danl. Eldridge, master,
B. Clinch, lieutenant marines,
James Morgan, gunner,
Abraham Long, boatswain,
Pat. M'Donald, carpenter,
Phil. C. Wederstrandt, midshipman,
Robert Henley, do.
Henry Vandyke, do.
Benj. Yancy, do.

Saml. Angus,	midshipman.
Saml. Woodhouse,	do.
Jno. M. Claggett,	do.
Robert Warren,	do.
Jas. T. Leonard,	do.
Benj. F. Read,	do.
Thos. Robinson,	do.
James Jarvis,	do.

Isaac Garretson, purser.
Isaac Henry, surgeon.
Jno. Murdaugh, surgeon's mate.

The day after the action, captain Truxtun thus addressed his officers and crew:

"Public thanks, though but a small tribute, is nevertheless justly due, to seamen and soldiers, who have manifested their zeal, activity, and bravery so conspicuously, in support of the honor and dignity of their country's flag, as the crew of the Constellation, of thirty six guns, did last evening, in an engagement with a French national Frigate of fifty-four guns or upwards, (carrying much heavier metal,) in which the enemy was completely beaten, and would have become their prize, but the damages sustained in making the first effort to get along side of her, together with the loss of the mainmast, main-topmast, main-topgallantmast, mizen-topmast, and several other spars, which also went over the side, at the moment of her sheering off, together with the dismantled state of the ship otherwise, made a further pursuit impracticable.

"As the commander, therefore, I feel infinite satisfaction in returning my thanks to the officers of every description, seamen, marines, and others, for the gallantry they displayed on this occasion, which under a beneficent Providence, has enabled me to add another laurel to the American character, on the records of the Navy; and you may be assured, gentlemen, seamen, and soldiers, that you shall be properly noticed to the President of the United States, and such of you as have been unfortunately wounded, and survive, will, no doubt be put on the pension list, and while their misfortunes I regret, I shall state with pleasure their just claims to the government, in order that they may have that protection and care taken of them, which is provided by a grateful country, for those that the fortune of war has been unkind to.

"THOS. TRUXTUN."

United States' ship Constellation,
February 2, 1800.

March 29, 1800. The following well merited notice was taken by Congress of the action between the United States' fri-

gate Constellation, commodore Truxtun, and the French ship of war La Vengeance.*

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to present to captain Thomas Truxtun, a golden medal, emblematical of the late action, between the United States' frigate Constellation, of thirty-eight guns, and the French ship of war La Vengeance, of fifty four, in testimony of the high sense entertained by Congress of his gallantry and good conduct in the above engagement, wherein an example was exhibited by the captain, officers, sailors, and marines, honorable to the American name, and instructive to its rising navy.

And it is further resolved, That the conduct of James Jarvis, a midshipman in said frigate, who gloriously prefered certain death to an abandonment of his post, is deserving of the highest praise, and that the loss of so promising an officer is a subject of national regret."

On the 10th April, 1800, the Portsmouth, captain M'Niell, was ordered to France, to bring home our ministers, who, it was presumed, would be ready by his arrival, to return to the United States.

The Constellation, captain Murray, (13th May,) the brig Norfolk, T. Calvert, (17th May,) the Ganges, J. Mullowny, (24th May,) and the Congress, J. Sever, (31st May,) were ordered to St. Domingo.

On the 10th May, 1800, commodore Talbot ordered Isaac Hull, first lieutenant of the Constitution, to proceed with a detachment of seamen and marines, "to Port Plate, and there endeavor to capture a French ship, lying at anchor," with instructions "to bring her out to sea, if practicable; otherwise to burn and destroy her in port;" enjoining upon him not to suffer "any injury to be done to the native inhabitants," unless he should be "driven thereto by pure necessity."

This service was performed in a manner which reflected great honor upon lieutenant Hull, captain Daniel Carmick, and lieutenant Amory, of the corps of marines, and the whole

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*The Vengeance was captured on the 20th August, 1800, by the British ship La Seine, captain David Milne, after a severe action, as we are led to believe by the British account, (Naval Chronicle, vol. 4. p. 440,) which states, that out of 453 men, the Vengeance took into port only 291—making her loss in killed and missing 162: the loss of La Seine was, 1 lieutenant and 12 seamen killed, and 29 wounded; the action lasted for an hour and a half; La Vengeance is said to have had near 10 feet water in her hold, when she was taken into Port Royal.

The Seine was captured from the French, on the 6th July, 1798, by La Pique, Captain David Milne, and the Jason frigate, captain Sterling; and when captured, she mounted 42 guns, with carronades, and had six hundred and ten men, (including soldiers,) of which one hundred and seventy were killed, and one hundred wounded, many of them mortally.

party concerned. The following is an extract of commodore Talbot's letter upon the subject, addressed to Mr. Secretary Stoddert, dated May 12th, 1800.

"I have now to acquaint you, sir, that I have for some time been meditating an enterprize against a French armed ship lying at Port Plate, protected by her own guns and a fort of three heavy cannon. It was my first intention to have gone in with the Constitution, and to have silenced the fort and ship, which has all her guns on one side, to co-operate with the fort in defending against any hostile force; but after the best information I could gain, I found it to be somewhat dangerous to approach the entrance of the harbor, with a ship of the draft of water of the Constitution."

"Having detained the sloop Sally, which had left Port Plate but a few days before, and was to have returned there previous to her sailing for the United States, I conceived that this sloop would be a suitable vessel for a disguise. I therefore manned her at sea from the Constitution, with about ninety brave seamen and marines, the latter to be commanded by captain Carmick and lieutenant Amory, when on shore; but the entire command I gave to Mr. Isaac Hull, my first lieutenant, who entered the harbor of Port Plate yesterday, in open day, with his men in the hold of the sloop, except five or six to work her in. They ran along side of the ship, and boarded her sword in hand, without the loss of a man, killed or wounded. At the moment the ship was boarded, agreeably to my plan, captain Carmick and lieutenant Amory landed with the marines, up to their necks in water, and spiked all the cannon in the fort, before the commanding officer had time to recollect and prepare himself for defence."

"Perhaps no enterprize of the same moment was ever better executed; and I feel myself under great obligations to lieutenant Hull, captain Carmick, and lieutenant Amory, for their avidity in undertaking the scheme I had planned, and for the handsome manner and great address with which they performed this daring adventure."

"The ship, I understand, mounts four sixes and two nines; she was formerly the British packet Sandwich, and from the boasting publications at the cape, and the declaration of the officers, she is one of the fastest sailers that swims. She ran three or four years, (if I forget not,) as a privateer out of France, and with greater succes than any other that ever sailed out of their ports. She is a beautiful copper bottomed ship; her cargo consists principally of sugar and coffee.

"I am, &c.

"SILAS TALBOT."

This capture was made about twelve o'clock. When taken, the ship was stripped, having only her lower masts in; her rigging was coiled and stowed below. Before sun-set, lieuten-

ant Hull had her completely rigged, royal yards athwart, guns scaled, men quartered, and in every respect ready for service.

Commodore Talbot being expected to return to the United States, in consequence of the term of service of his crew having nearly expired, captain Sever was, on his arrival at St. Domingo, if commodore Talbot should have left there, to assume the command of all the vessels on the station. Commodore Talbot returned to Boston early in August, and the command on the St. Domingo station accordingly devolved on captain Sever, during his absence.

In a letter to commodore Talbot of the 3d September, 1800, the Secretary of the Navy paid him the following just tribute of respect:

"Your feelings as a military man, might have been more gratified, had opportunities been afforded you of engaging in scenes of greater brilliancy; but no services you could have rendered, would have been more useful or more important to your country, than those you have meritoriously performed, in protecting with effect a great proportion of our commerce, in laying the foundation of a permanent trade with St. Domingo, and in causing the American character to be respected, by the just, temperate, and judicious course by which your conduct has been marked, during the whole time of your command at St. Domingo."

On the 24th May, the Chesapeake, captain S. Barron, was sent to Charleston, S. C. to transport a large sum of specie from that place to Philadelphia. Having performed this service, she was directed, (8th August,) to cruise between the West India islands, and our coast, till November, when she was to return to Norfolk.

The Insurgente, captain P. Fletcher, was directed (July 14,) "after leaving the capes of the Chesapeake, to take an eastwardly course, keeping rather north of thirty-eight north latitude, until she should obtain the longitude sixty-eight, and cruise for a few weeks between longitude sixty-eight and sixty-six, and stretch as far south as latitude thirty-one or thirty;" after which captain Fletcher was to pursue the suggestions of his own judgment, returning in about eight weeks to Annapolis. This ship was fated never to return—she and her whole crew were lost at sea.

The Experiment, lieutenant Chs. Stewart, was ordered (July 26,) to proceed to Bermuda, and remain in that neighborhood, about ten days, after which, she was to proceed to Guadaloupe.

On the 30th July, commodore Truxtun, was again ordered, in the frigate President, to proceed to Guadaloupe, and assume the command of all the ships and vessels on that station.

The Pickering, Hillar, having returned to the United States, and made a short cruise on the coast, was directed (15th August,) to proceed to Guadaloupe, and cruise in that neighbor-

hood, until she should fall in with the commanding officer. She proceeded on this service, but was lost, it is supposed, in the same gale with the Insurgente—the equinoctial gale of September, 1800. All the crew in this case, as in that of the Insurgente, perished.

On the 21st August, the Boston, captain Little, was directed to cruise, "two or three weeks," between the West Indies and the United States, and then to join the squadron on the Guadaloupe station.—Sailing under this order, the Boston fell in with the French corvette the Berceau, captain Senes, mounting twenty-four guns, with a crew exceeding two hundred men, and after an action of more than an hour and a half, captured her, and returned with her into the port of Boston, November, 15, 1800.—The Berceau did not surrender till she was a perfect wreck. She was reputed a remarkably fine vessel of her class, and had been very successful in capturing American vessels. Her gallant commander was a midshipman in count D'Estaing's fleet, during our revolutionary war.

The Scammel, J. H. Jones, lieutenant commandant, was ordered to St. Domingo, (September 1;) the Delaware, J. A. Spottswood, to Havanna, (September 24;) the Trumbull, D. Jewett, to the Guadaloupe station, (October 4;) the New-York, R. V. Morris, (October 20,) and the Warren, captain James Barron, (November 6,) were ordered to the same station.

The Adams, captain Thos. Robinson, was ordered to St. Domingo, (24th October,) and on the 18th November, commodore Talbot was again ordered to proceed to that station, and assume the command.

The Maryland, Rodgers, returned to Baltimore, September, 1800, and there discharged her crew.

President Adams in his speech of 22d November, 1800, states that, "the envoys extraordinary and ministers plenipotentiary from the United States, to France, were received by the first consul, with the respect due to their character, and three persons with equal powers, were appointed to treat with them. Although at the date of the last official intelligence the negotiation had not terminated, yet it is to be hoped, that our efforts to effect an accommodation, will at length meet with a success proportioned to the sincerity with which they have been so often repeated."

"While our best endeavors, for the preservation of harmony with all nations will continue to be used, the experience of the world, and our own experience admonish us of the insecurity of trusting too confidently to their own success. We cannot, without committing a dangerous imprudence, abandon those measures of self protection which are adapted to our situation, and to which notwithstanding our pacific policy, the violence and injustice of others may compel us to resort, while our vast extent of sea-coast, the commercial and agri-

cultural habits of our people, the great capital they will continue to trust on the ocean, suggest the system of defence, which will be most beneficial to ourselves; our distance from Europe and our resources for maritime strength, will enable us to employ it with effect. Seasonable and systematic arrangements, so far as our resources will justify, for a Navy adapted to defensive war, and which may, in case of necessity, be quickly brought into use, seem to be as much recommended by a wise and true economy, as by a just regard for our future tranquility, for the safety of our shores, and for the protection of our property committed to the ocean.

"The present Navy of the United States, called suddenly into existence by a great national exigency, has raised us in our own esteem; and by the protection afforded to our commerce, has effected, to the extent of our expectations, the objects for which it was created."

The Constellation captain Murray, was (November 28,) directed to "shape her course so as to afford protection to American vessels, bound from the East Indies and Europe, to the United States;" and, on the 30th December, she was directed to join the squadron on the Guadaloupe station; to which station the brig Eagle, lieutenant M. S. Bunbury was also ordered, 31st December.

It was the intention of the government, to send the Connecticut, captain Richard Derby,* and the Ganges, captain John Mullowny, to the East Indies, for the purpose of affording convoy to that branch of our trade; and orders were issued on the 26th November, 1800, for these ships to be prepared and held in readiness to sail; but their sailing was suspended, in consequence of the treaty with France, being then before the Senate, on which it was expected a decision would soon be made; and upon such decision, depended the general orders to be given to these ships. In this state of suspense, these ships continued, until the treaty being ratified, it was judged inexpedient to send them on the proposed service.

Commodore Barry, in the frigate United States, was ordered, (6th December, 1800,) to assume the command of our ships, on the Guadaloupe station, with directions, however, to permit commodore Truxtun, with another frigate, or a smaller vessel, to cruise wherever he should judge most advantageous for the protection of our commerce, returning to the United States early in April, 1801.

The Boston, captain Little, was ordered to sea, (29th January 1801,) "to protect our returning East India ships."

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*This intelligent and valuable officer, resigned his commission in May, 1801. His resignation was accepted on the 12th May, tho', as the Secretary observed to him, "not without regret for the loss of your abilities, and I beg leave to assure you, Sir, that your conduct, since you have been in the naval service has met with his (the President's,) entire approbation."

The Maryland, captain Rodgers, was ordered, (18th March, 1801,) to proceed to France with Mr. Dawson, bearer of despatches from our government, to that court; and on the 23d, the Herald, captain C. C. Russell, was sent out with orders for all our vessels in the West Indies to return home, the treaty of peace with France having been ratified by the Senate, the 3d, and proclaimed by the President of the United States, the 18th of the preceding month.

In October, 1800, the United States' ship of war the George Washington, under the command of William Bainbridge, Esq. was sent, by force, under the Algerine flag, from Algiers to Constantinople, with an ambassador and presents to the Grand Seignor. This indignity to our flag deeply affected the sensibility, not only of the President, but of the people of the United States. No individual felt it more keenly than the gallant commander of the George Washington, or would have hazarded more to avenge it.

On the 18th September, the Dey of Algiers intimated to our consul general, Mr. O'Brien, that the United States would confer an obligation upon him, by sending their ship the George Washington, with an ambassador and presents to Constantinople, and thence back to Algiers. Mr. O'Brien observed, that neither the commander nor himself were authorized to confer such an obligation; and when the subject was mentioned to captain Bainbridge, he peremptorily refused to accede to the proposition. The Dey manifested much displeasure at this unexpected refusal, and observed, that other nations had rendered him similar favors; that, however, as Lord Keith had promised to send a ship of war on this business, he would defer for a few days his final determination, to see whether the British ship would arrive; and should she arrive, he would then not detain the George Washington. A British ship of war of twenty-four guns was sent by Lord Keith; she arrived at Algiers on the 3d October, and it was then presumed that the Dey would abandon the idea of sending the George Washington. Objections, however, were urged by the Dey, his ministers, and other influential characters, against the mission going in the British ship. What these objections were, we are left to conjecture. The British had voluntarily offered a ship; we had refused. The counsellors of the Dey, it is presumed, advised him that this refusal indicated a disinclination to cultivate his friendship; that we were a refractory people, and where an inch was yielded, would take a fathom; that we had not that respect for his highness, which was due from every "Christian dog;" that if he yielded, we should triumph to his dishonor. These, or some such arguments, in all probability, finally decided him to *compel* the George Washington to proceed to Constantinople. This decision would have been resisted to the last extremity, but for some powerful persuasives

to the contrary. We had an extensive unprotected trade in the Mediterranean, were in arrears to the regency, and the Dey had, on numerous occasions, exhibited a restless, dissatisfied disposition; and on this particular occasion, he, in person, told consul O'Brien, that if the favor he asked was not granted, he would no longer maintain the relations of friendship with the United States.

When unavoidable evils are presented, with the liberty of choice, it is the province of wisdom to select that which may be the least; and individual feeling, however acute or chivalric, should never be permitted to adopt a measure in any way conflicting with the public interest. Bound down by duty to our country, the loftiest mind must sometimes sacrifice on its altar, and suffer even deprivations or indignities, rather than overstep the barrier which might compromit its interests. Hence, on this occasion, captain Bainbridge, after expostulating and protesting against the authority usurped by the Dey, finally consented to navigate and command the ship, while she was, by force, sent upon this service; and this he was constrained to do by the consideration, that at that moment, the Dey had our trade in the Mediterranean, and a great number of our citizens completely within his power; that his first act, after executing his threat of declaring war, might be to seize the ship George Washington herself, load her crew with chains, and doom them to the vilest servitude.

This voyage was performed—this "favour" was *thus* granted—the George Washington proceeded to Constantinople with the Dey's presents—remained there fifty-nine days, and returned to Algiers on the 21st January, 1801, having a passage back of twenty-three days.

The arrival of the George Washington at Constantinople, excited the astonishment of the Sultan. His laws require that all vessels shall come to an anchor near the Dardanelles and there remain, until he shall be pleased to grant permission for them to proceed to Constantinople. Captain Bainbridge, by a manœuvre, passed the Dardanelles during the night, without coming to an anchor, proceeded to Constantinople without obtaining his permission, and arrived at his capital without his *firman* or knowledge, and the next morning displayed a flag which he had never before seen or heard of. The sultan immediately despatched an officer to reconnoitre the ship and ascertain her character, colors, and to what nation she belonged. Several messages were interchanged, before the Sultan could be satisfied as to the true character of the ship. The captain of the port was at length sent on board, to pilot the ship into the inner harbor of Constantinople. Distinguished respect was thenceforth paid to the flag by the captain Bashaw. The Lord High Admiral, and the ambassadors and ministers of foriegn courts, then resident at Constantinople, all united in personal attentions and civilities to captain Bain-

bridge and his officers. He had frequent conversations with the captain Bashaw relating to a treaty between the United States and the Porte, which resulted in a passport from the Sultan for any minister the United States might send upon such a mission, giving him "safe conduct through the Turkish empire." The Sultan also furnished captain Bainbridge with his firman, requiring of all officers and others under him that "the greatest respect and friendship" should be extended to the ship he commanded.

These demonstrations of personal and national respect, these friendly dispositions, were produced by the manly and conciliatory deportment of captain Bainbridge; and there is every reason to believe that a favorable treaty, might, without difficulty, have been concluded with the Porte, if it had suited the policy of our government to avail itself of the impressions thus made.

On his return to Algiers, captain Bainbridge found a number of French gentlemen and their families, in a situation which excited the strongest sympathy. The Dey had declared war against France, and threatened to put the consul and all French citizens at Algiers in irons; and but for the interposition of the consuls of other nations, and particularly our own, Mr. O'Brien, with the zealous co-operation of captain Bainbridge, this barbarous threat would have been executed. Yielding to their intercessions, so far as not to put them in irons, the Dey ordered every French individual to leave his regency in forty-eight hours; and swore by his beard, and by Mahomet, that every soul, *man*, *woman* or *child*, who should be found within his regency, at the expiration of that time, should be placed in irons. There was no foreign vessel in Algiers excepting the George Washington, and she had just gone into the mole, to deliver several hundred tons of old guns, borrowed of the Dey as ballast, and to receive in lieu thereof, as many tons of sand ballast, which had to be brought from a considerable distance. Under these circumstances, the French consul officially requested captain Bainbridge to take him, his family, and all the French citizens at Algiers, (among whom was the Governor of La Caille, a French coral fishery on the coast,) to some port in Spain. The request was instantly and cheerfully granted, not without fears, however, that it would be impossible to prepare the ship, within the period limited for their departure. Instantly every officer and man of the ship was in requisition, and each worked night and day to accomplish the benevolent purpose of their chief. By great and extraordinary exertions, the ship was enabled to leave Algiers, *within the last hour* of the time limited. The French consul and upwards of sixty of his countrymen, with "countenances full of joy and gratitude," joined the ship and were shortly beyond the reach of the Algerine batteries.—So sudden was their departure; such was their anxiety, to get from the

clutches of this barbarian, that they went on board without the least particle of provisions. Every attention was paid to make them comfortable. The cabin of the ship was resigned to them by her commander, and every other accommodation afforded.—On the 8th May, they were landed at Alicant, and bid adieu, to their "kind and generous friend, with hearts full of gratitude."

CHAPTER X.

Peace establishment—Navy reduced—Ration changed—Number of officers retained—Observations—French armed vessels captured—Actions of the Enterprize, lieutenant John Shaw—General reflections—Cost of the armament and its benefits—Loss upon the sale of national vessels.

During the session which was begun and held in the city of Washington, November 17th, 1800, and ended March 3d, 1801, the following laws were passed. in relation to the navy:

3d March: "An act providing for a naval peace establishment, and for other purposes."

This act authorized the President, whenever the situation of public affairs should, in his opinion, render it expedient, to cause to be sold all or any of the ships or vessels belonging to the navy, except the frigates,

United States,
Constitution,
President,
Chesapeake,
Philadelphia,
Constellation,
Congress,
New York,
Boston,
Essex,
Adams,
John Adams, and
General Greene.

It further directed that those sold, should first be divested of their guns and military stores, which were to be carefully preserved.

It directed that six of the frigates to be retained, should be kept in constant service, in time of peace; should be officered and manned as the President might direct, not to exceed, however, two-thirds of the present complement of seamen and ordinary seamen:—

That the residue of the frigates, retained, should be laid up in convenient ports: That there should be permanently attached to each frigate so laid up,

1 sailing master,
1 boatswain,
1 gunner,
1 carpenter,
1 cook,
1 serjeant or corporal of marines,
8 marines,
12 seamen to the large, and
10 do. to the small frigates:

That the sailing master should have the general care and superintendence of the ship, and execute the duties of a purser:

It directed the president to retain in service,
9 captains,
36 lieutenants,
150 midshipmen;

and authorized him to discharge *"all the other officers in the navy service of the United States"*—It declared that those retained "should be entitled to receive no more than half their monthly pay during the time when they shall not be under orders for actual service;" and it provided, that the commission and warrant officers, who should be discharged, should be entitled to four months pay, over and above what should be due to them respectively, at the time of their discharge.

The provisions of this singular law, which, by the way, originated with the avowed friends of the navy, who were impressed with the conviction, that the existence of the establishment could be preserved by no other means, than by reducing it to the lowest possible scale, seem to require some notice. The number of captains, lieutenants, and midshipmen, directed to be retained, was, unquestionably, greater than the *six* frigates to be kept in service required; but it was less than the thirteen frigates retained on the establishment would require in active service. The law is very precise as to the officers and men to be attached to the frigates laid up, and allows them more men than were absolutely necessary; but it commits to the discretion of the President, the officering of the frigates to be kept in service, yet limits him to two-thirds of their usual number of seamen and ordinary seamen.

While it declares that six frigates shall be kept in constant service, it empowers the President to discharge *every officer*, excepting nine captains, thirty-six lieutenants, and one hundred and fifty midshipmen; as if surgeons, sailing masters, pursers, surgeon's mates, boatswains, gunners, sailmakers, carpenters, &c. were not essential to the vessels to be kept in service. Fortunately, the law did not *direct* the discharge of all the officers, excepting a certain number of captains, lieutenants, and midshipmen; otherwise, not a single ship could have been sent to sea. Fortunately too, the President, in

exercising the powers with which he was clothed by this act, looked rather to its spirit than its letter, and gave its provisions a practical construction, which supplied its defects, and reconciled its incongruities.

The provision which limits the crews to two-thirds of their usual complement of seamen and ordinary seamen, if expedient, ought, we should think, to have been accompanied by authority to reduce proportionately, the *armament* of the ships. The number of men must, in some measure, be regulated by the *number* of *guns*. Why carry guns that you cannot fight? The most skilful officer under Heaven, in command of a ship two-thirds manned and *fully armed*, might be placed in a situation to be captured or vanquished by a vessel of inferior rate, if manned and armed in just proportion. The honor of the navy will never again, it is to be hoped, be placed in jeopardy by any similar provision.

3d March. An appropriation law, appropriating for defraying the expenses of the Navy, for the year 1801, three millions, forty-two thousand, three hundred and fifty-two dollars and ninety-five cents, payable out of the unexpended balance of previous appropriations, and other moneys in the treasury.

List of French armed vessels captured by the American Cruizers, in 1798—'9, 1800, and 1801.

Year captured.	Names of captured vessels.	Guns.	Men.	Captured by
1798	Le Croyable, - -	14	54	The Delaware, capt S. Decatur, senior.
- -	Sans Pareil, - -	16	87	The Delaware, Decatur, and the United States, com. Barry
- -	Jaloux, - - - -	14	70	
1799	Marsuin, - - -	10	—	Delaware, Decatur.
- -	Reynard, - - -			Delaware, Baker, and Eagle, Campbell,
- -	Ocean, - - - -			Delaware, Baker.
- -	L'Amour de la Patrie,	6	80	United States, com.
- -	Tartuffe, - - - -	8	60	Barry,
- -	Siren, - - - -	4	36	Baltimore, Barron. Eagle, Campbell.
1800	Brilliant Jeunesse, -	12	62	Baltimore, Cowper,
1799	L'Esperance, - -			
1800	Laqui joinnolla, -			

Year.	Names of captured vessels.	Guns.	Men.	Captured by
1799	Buonaparte, - -			
- -	Magicienne, - - -	14	63	Merrimack, Brown,
1800	Phenix, - - - -	14	128	
1801	Brilliant, - - -	—	—	
1799	Le Frippon, - -	—	—	Portsmouth, M'Niel.
- -	Amis, - - - -	6	16	Montezuma, Murray.
- -	Diligente, - - -	—	—	
- -	Insurgente, - - -	40	409	Constellation, Truxtun.
- -	Union, - - - -	—	—	
- -	Vanqueur, - - -	6	85	Norfolk Bainbridge
- -	Rabateuse, - - -	—	28	
- -	Eugene, - - - -	—	—	Ganges, Tingey,
- -	L'Esperance, - -	8	28	
1800	La Fortune, - - -	—	—	Ganges, Mullowny,
1799	Louise, - - - -			
1800	La Fougeuse, - -	2	70	
- -	Favorite, - - -	6	41	
- -	Dolphin, - - - -	—	—	Eagle, Campbell.
1799	Bon Pere, - - -	6	52	
1800	Magdalen, - - -	—	—	
1799	Lonze Vendemaire,	—	—	
1800	Heureux Rencontre,	—	—	
- -	General Massena,	—	—	Adams, capt. Mor-
- -	Renomme, - - -	—	—	ris.
- -	Gambeaux, - - -	—	—	
- -	Dove, - - - -	—	—	
1800	Voltigeuse, - - -	10	61	
- -	Fly, - - - - -	4		Pickering, Hillar.
1799	Atalanta, - - -	—	—	
1800	Active, - - - -	12	60	
1799	Italic Conquese, -	12	—	
1800	La Piege, - - -	—	—	Connecticut, Tryon.
- -	L'Unite, - - - -	—	—	
- -	Chou Chou, - -	—	—	
- -	Deux Anges, - -	20	54	
1800	A small boat, - -	—	—	
- -	La Fortune, - - -	—	—	Boston, Little.
- -	Berceau, - - -	24	220	
- -	Heureux, - - -	—	—	
- -	La Gourde le Pelican,	—	—	Boston, Little, the Norfolk, Bainbridge
- -	Flying Fish, - -	—	—	Boston, Little, in company, General Greene, Perry.

Year.	Names of captured vessels.	Guns	Men.	Captured by
1800	Espoir,	—	—	Boston, Little, Augusta, M'Elroy.
"	Mutine,	6	60	Herald, Russell, Augusta, in company.
"	Jason,	—	50	John Adams, Cross.
"	Decade,	—	—	
"	Peggie,	—	—	
"	Vengeance,	—	—	Trumbull, Jewett.
"	La Tullie,	—	—	
"	Sandwich,	6		
"	L'Esther,	3		Constitution, Talbot
"	Sally,	—	—	
"	La Victorie,	—	—	Augusta, M'Elroy.
"	La Jeanne,	—	—	
"	La Citoyen,	6	47	Enterprize, lieutenant Jno. Shaw, which vessel performed this service and recaptured eleven American vessels, in a cruize of eight months*
"	La Seine,	6	57	
"	L'Eagle,	10	78	
"	La Flambeaux,	12	110	
"	La Pouline,	6	40	
"	La Guadaloupean,	7	45	
"	L'Amour de la patrie,	6	72	Enterprize, Sterrett.
"	Felix,	—	—	Scammel, Fernald,
"	Industry,	—	—	General Greene, Perry.
"	Danish brig,	—	—	
"	Dorade,	6	46	Patapsco, Geddes.
"	Diana,	14	65	Experiment, C. Stewart.†
"	Deux Amis,	8	—	
1801	Young Creole,	—	45	Chesapeake, S. Barron.
"	La Levrette,	6	54	Philadelphia, Decatur.
"	Union,			
"	Magdalen,			
"	Le Guerre,			
	Amphetrite,			

*The Enterprize, lieutenant commandant Shaw, had several actions. The Citoyen did not surrender, till she had 4 killed and 11 wounded—la Seine had 11 killed and 13 wounded—the Eagle, 3 killed and 9 wounded—the Flambeaux, which mounted the same number of guns as the Enterprize, of the same calibre, and had a crew more numerous by thirty-four, lost 7 killed and 33 wounded before she surrendered.

†Neither the Diana nor the Deux Amis, surrendered to the Experiment, lieutenant Charles Stewart, without first trying the effect of their guns.

Of the vessels thus captured, the Insurgente and Flambeaux being of equal or superior force to the vessels which captured them, were given up to the captors to be distributed agreeably to law: the Vengeance and Berceau, being national ships, were surrendered under the treaty with the French republic: three others were restored to the owners: one was sunk, and eight were acquitted as not being legal prizes; leaving the proceeds of sixty-eight prizes to be divided equally between the United States and the captors; the value of which may be safely estimated at six hundred thousand dollars.

The exports from the United States, during the continuance of the maratime war with France, are estimated as follows:

1798	$61,327,411,
1799	78,665,522,
1800	70,971,780.

And the revenue derived from imposts on merchandize and tonnage is stated to have been:

1798	$7,106,061,
1799	6,610,449,
1800	9,080,932.

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upon her; but such was the skilful valor of lieutenant Stewart, that although the Diana was fully equal to the Experiment, both in guns and men, neither of the actions lasted more than ten minutes.

The day on which the Experiment captured the Diana, the latter vessel in company with a French brig of eighteen guns and one hundred and twenty men, had chased the Experiment for several hours. Lieutenant Stewart, perceiving them pressing upon him with all sails set, and knowing that his force would not justify his encountering them together, and believing that by running from them, he might separate them, and be enabled to attack them singly, manifested great *ostensible* anxiety to escape. The Experiment being the fastest sailer, and the sailing of the brig and the Dianna being unequal, lieutenant Stewart succeeded in separating them, and instantly made for, attacked, and captured the Diana, then, crowded all sail in chase of the brig; but, owing to the darkness of the night, she escaped.

Such was the extreme anxiety of lieutenant commandant Stewart to get along side of the brig without a moment's delay, that he left lieutenant Porter, sent by him, with a small boats crew, (only four men,) to take charge of the Deux Amis, in a most perilous situation, certainly sufficient to have appalled any ordinary man; indeed, even lieutenant Porter felt himself very aukwardly situated. He, however, immediately got possession of all the small arms, ordered the crew of the Deux Amis forward, and solemnly assured them, that the first man who should step beyond a prescribed line, should instantly be shot down. For three nights and nearly four days, lieutenant Porter remained in this embarrassing situation, having to guard twelve times his own number, and navigate the vessel at the same time; he, however, conducted the Deux Amis safely into St. Kitts, where he arrived late in the day, and had to remain on board unassisted till the next morning.

In December, the Experiment chased the Flambeaux of twelve guns and one hundred and ten men, with a prize brig. The Flambeaux escaped, but her prize, the Zebra, of Baltimore, was retaken, and the Flambeaux, was shorly after captured by the Enterprize, as above stated.

In 1801, the exports amounted to 93,000,000 dollars, and the revenue from imposts exceeded 10,750,000 dollars.

The whole cost of the navy, including the building or purchase of the ships, their equipment, and the expense of supporting them in service, and every expense of every description including those which had been incurred under the act of 25th February, 1799, for building six seventy-four gun ships, the purchase of Grover's and Blackbeard's island, the purchase of grounds for six navy-yards, and the improvements made to the yards, was, from the commencement of the government to the end of the year 1800, eight millions eight hundred and eighteen thousand one hundred and fifty-five dollars and fifty-eight cents. If we extend the period of these expenses, so as to embrace the return of our ships, after the conclusion of peace with the French republic, they may be estimated to have amounted to ten millions of dollars; but if we deduct from this gross amount the expenditures for the purchase and improvement of navy-yards, the purchase of the islands, and of timber and other materials required in the construction of the six seventy-four gun ships, we should find that the whole expenses were short of eight millions five hundred thousand dollars.—Of this sum three millions five hundred and eighty-three thousand seven hundred and seventy-seven dollars and fifty eight cents had been expended in the building, purchasing, arming, repairing, and equipping the different ships belonging to the navy.

Under the act of 3d March, 1801, all the ships and vessels belonging to the Navy, excepting the frigates United States, Constitution, President, Chesapeake, Philadelphia, Constellation, Congress, New-York, Boston, Essex, Adams, John Adams, and General Greene, and the schooner Enterprize, being divested of their armament and military stores, were sold, and brought into the Treasury the sum of $309,330 59 cents. The original cost of building and equipping the vessels retained in service, was 2,464,250 67. Their value in 1801, supposing them to have deteriorated 340,000 dollars while in service, exceeded two million, one hundred and twenty thousand dollars. If to this sum we add the estimated value of the cannon and small arms, which belonged to the vessels sold, but which were retained agreeably to the law, ($76,000,) and the amount for which the vessels sold, 309,330 59; we shall find, that we had ships of war, cannon, small arms, and money, amounting to $2,505,330 59, say two millions and a half; which deducted from the 8,500,000 previously stated, would leave *six millions of dollars*, as the actual cost to the nation, of the protection afforded to our commerce, during the years 1798, 1799, 1800, and part of 1801. Our commerce thus protected we were enabled to export the surplus products of our country, to an amount exceeding *two hundred*

millions of dollars; and to import in payment the products of other countries, and yield to the government a revenue exceeding *twenty-three millions.*

The loss upon the sale of the vessels; that is, the difference between their original cost, and the amount for which they sold, was 522,750 7; and the Insurgente and Pickering, which were lost at sea, cost $170,106 29, making together, $692,856 36 cents, which sum is included in the six millions above stated, as being the actual cost of the protection afforded to our commerce.

CHAPTER XI.

Bashaw of Tripoli—Hostile dispositions—Bey of Tunis dissatisfied—Dey of Algiers displeased—Squadron sent into the Mediterranean—Instructions to commanding officer—Commodore Dale's account of the operations of the squadron under his command—The Tripoli of fourteen guns vanquished by the Enterprize, lieutenant commandant Sterrett—Resolution as to the gallant conduct of lieutenant Sterrett—Sword presented to him—War with Tripoli—Act for the protection of our commerce and seamen—Instructions to commanders—Squadron under commodore Morris—His instructions—Movements of the squadron—Negotiation with Bashaw attempted—Failure—Employment of the vessels—Commodore Morris suspended in the command—Court of enquiry upon him—Finding thereof—The John Adams, captain Rodgers, captures the Meshouda, of 20 guns—Destruction of a Tripolitan Corvette—Attempt to burn Wheat vessels at old Tripoli—Attack on gun boats at Tripoli—Observations—Squadron under commodore Preble sent out—Principles of blockade—Capture of the Meshboha, by the Philadelphia, captain Bainbridge—Tangiers visited by our squadron—Result—peace with Morocco—President's communication to Congress, of 5th December, 1803.

Early in the year 1800, the Bashaw of Tripoli manifested, in his communications with our consul, Mr. Cathcart, unfriendly feelings towards the United States. While on the one hand, he admitted that the United States had, with scrupulous good faith, fulfilled their engagements, he, on the other, expressed his dissatisfaction at not receiving such attentions as were paid to Algiers and Tunis. A frigate had been given to the Dey of Algiers: he also wanted one; and he sent word to Mr. Cathcart, "that the Sahibtappa at Tunis had received more than forty thousand dollars from the United States, in cash, besides presents; that *he* had received very little more, and that he had never imagined the United States meant to put him on an equality with one of the Bey of Tunis' ministers." In a letter to the President of the United States, dated May 5, 1800, the Bashaw remarks: "After having cultivated the branches of our good will, and paved the way for a good understanding and perfect friendship, which we wish may continue forever, we make known, that the object and contents of this our present letter is, that whereas, your consul, who resides at our court in your service, has communicated to us, in your name, that you have written to him, informing him that you regarded the regency of Tripoli in the same point of view as the other regencies of

Barbary, and to be upon the same footing of friendship and importance. In order further to strengthen the bonds of a good understanding, blessed be God, may he complete and grant to you his high protection. But our sincere friend, we could wish that these your expressions were followed by deeds, and not by empty words. You will therefore endeavor to satisfy us by a good manner of proceeding. We, on our part, will correspond with you with equal friendship, as well in words as deeds. But if only flattering words are meant without performance, every one will act as he finds convenient: We beg a speedy answer, without neglect of time, as a delay on your part cannot but be prejudicial to your interests."

In another conversation with Mr. Cathcart, the Bashaw observed, "let your government give me a sum of money, and I will be content; but paid I will be, one way or other. I now desire you to inform your government, that I will wait six months for an answer to my letter to the President; that if it does not arrive in that period, and if it is not satisfactory, if it does, I will declare *war*, in form, against the United States. Let them know that the French, English, and Spaniards, have always sent me presents to preserve their peace; and if they do not do the same, I will order my cruizers to bring their vessels in whenever they can find them."

On the 10th May, 1801, the Bashaw sent Hadgi Mahomude la Sore, to Mr. Cathcart, with information, that "he declared war against the United States," and would take down the American flag staff on Thursday the 14th May; that if he pleased, he might remain at Tripoli, and should be treated with respect, but might go away if he chose. Mr. Cathcart replied, that he should not remain an instant after a declaration of war, and would immediately charter a vessel to convey him from his dominions. On the 14th the American flag staff was cut down, and war thus formally declared.

The Bey of Tunis had also expressed to our consul, Mr. Eaton, his dissatisfaction with the United States. Sweden, Denmark, Spain, and Sicily, made to him such concessions in the year 1800, that the value of a peace with us was greatly diminished in his estimation. The United States had a rich unprotected commerce in the Mediterranean, which excited the cupidity of all the Barbary pirates. The Bey complained that certain plank and oars sent to him from the United States were too short, and that other articles had not been forwarded according to their engagement with him. In a letter to the President, 15th April, 1801, he renewed the request, formerly made, for forty cannon of different calibres, observing that he wished them all to be twenty-four pounders; and in June, 1801, he demanded of our consul, ten thousand stands of arms, observing "tell your government to send them without delay--peace depends on compliance, &c."

We were also in arrears with Algiers, and the Dey had, in various ways, intimated his displeasure. Our consul general, O'Brien, in a letter to Mr. Smith, minister plenipotentiary of the United States at Lisbon, 7th February, 1801, thus expresses his apprehension: "Even at this moment, I shudder for fear of our valuable vessels and citizens in this sea—so much in arrears—no funds—no corsairs—and threatened by all the dogs of prey. Algiers, a pirate state, wants employment for the refractory and for their corsairs. The troubles of the Baltic will scare the Swedes and Danes into port, and we in arrears—no *oil* in our lamps—no anchors and cables—no corsairs in this sea: we will be the victims."

The government of the United States had not heard of the declaration of war by the Bashaw of Tripoli, but it had received other proofs of his hostile purposes, which rendered that event highly probable: and had understood that much discontent had been manifested by the Dey of Algiers and the Bey of Tunis, and knew that we had a trade of immense importance in the Mediterranean, perfectly unprotected. Under these circumstances it was determined to send into the Mediterranean a squadron of observation. This squadron consisting of the frigate President, Dale; the Philadelphia, S. Barron; the Essex, W. Bainbridge; and the schooner Enterprize, lieutenant commandant Sterrett, was placed under the command of commodore Richard Dale, with the following orders from the Secretary of the Navy, dated May 20th, 1801.

"Recent accounts received from the consuls of the United States, employed near the regencies of Algiers, Tunis, and Tripoli, give cause to fear that they will attack our commerce, if unprotected, in the Mediterranean; but particularly such apprehension is justified by absolute threats on the part of the Bey of Tripoli.

"Under such circumstances, it is thought probable, that a small squadron of well appointed frigates, appearing before their ports, will have a tendency to prevent their breaking the peace which has been made, and which has subsisted for some years between them and the United States. It is also thought that such a squadron, commanded by some of our most gallant officers, known to be stationed in the Mediterranean, will give confidence to our merchants and tend greatly to increase the commerce of the country within those seas.

"I am therefore instructed, by the President, to direct that you proceed with all possible expedition, with the squadron under your command, to the Mediterranean. It will be proper for you to stop at Gibraltar, and obtain permission from the Governor for depositing provisions there, for the use of your squadron. It is not presumed there will be any refusal; but should he deem it improper, you will then leave a letter with Mr. Gavino, American consul, for the captain of the provision

vessel that will be sent hereafter, directing him where to proceed.

"On your arrival at Gibraltar, you will be able to ascertain, whether all or any of the Barbary powers, shall have declared war against the United States. In case all are tranquil, you will water your ships, proceed off the port of Algiers, and send to the consul, Mr. O'Brien, whom you will inform that you have arrived—that the views of your government are perfectly friendly—that you have a letter for him and the Dey—and that you request to see him; or that he send some person in whom he can confide for the letters—or that he send a permission for one of your officers to go to the city. You will have on board certain goods, which you will deliver on his requisition. They are for the biennial presents to the regency. The George Washington is preparing to carry timber and other stores, for at least one years annuity, and you have on board the President 30,000 dollars, which it is hoped and expected Mr. O'Brien will be able to induce the regency to accept for another year. The balance may go some time hence. But if Mr. O'Brien cannot induce the Dey to receive money instead of stores, you will retain the 30,000 dollars, excepting four or five thousand, which, on Mr. O'Brien's requisition, may (if he should think it useful to commence with,) be given him on your arrival, and which may be replaced, if the Dey shall afterwards agree to receive the 30,000 dollars in full, for one years annuity, out of the 10,000 dollars hereafter mentioned as being intended for the Bey of Tripoli, and the stores will be sent as soon as possible. When your business is arranged at Algiers, to your satisfaction, you will proceed to Tunis, and there cause the letters you carry to be delivered to Mr. Eaton, the consul. A ship is preparing and will sail as soon as possible, with stores, agreeably to treaty with that regency.

"From thence you will proceed to Tripoli; on your arrival there, send for Mr. Cathcart, American consul for that port, to whom deliver his letters, and either by him or one of your officers, whichever may be deemed most proper, send the President's letter to the Bey. You have on board 10,000 dollars as a present from the President; the whole or such part thereof as you may have on your arrival at Tripoli, and which Mr. Cathcart may conceive useful, will be given the Bey, provided he has conducted himself peaceably towards the United States.

"You will be careful not to solicit the honor of a salute, from any of those powers; if you do, they will exact a barrel of powder for every gun they fire.

"You will enjoin upon your officers and men, the propriety and utility of a proper conduct towards the subjects of all those powers. A good understanding with them being extremely desirable.

"Should you find the conduct of the Bey of Tripoli, such as you may confide in, you will then coast with your squadron the Egyptian and Syrian shores, as far as Smyrna, and return by the mouth of the Adriatic; thence pay the Bey of Tripoli another visit; finding him tranquil, proceed to Tunis, and again shew your ships; and thence coast the Italian shore to Leghorn, where you may stay some days, and then proceed along the Genoese to Toulon; which port it will be instructive to your young men to visit. From thence proceed again to Algiers. If there should be no hostile appearance on the part of those powers, and you should be well assured that no danger is to be apprehended from either of them, you may, on the 15th October, commence your return homeward, but if there shold be any cause for apprehension, from either of those powers, you must place your ships in a situation to chastise them, in case of their declaring war or committing hostilities, and not commence your return to the United States, until the 1st day of December.

"On your return you will go into Hampton Roads, and repair yourself to this place as soon as you can. Order the Philadelphia to Philadelphia, if the season will permit; if not, let her go with the Essex to New-York. The Enterprize send to Baltimore.

"But should you find on your arrival at Gibraltar, that all the Barbary powers have declared war against the United States, you will then distribute your force in such a manner as your judgment shall direct, so as best to protect our commerce and chastise their insolence, by sinking, burning, or destroying their ships and vessels, wherever you shall find them. The better to enable you to form a just determination, you are herewith furnished with a correct state of the strength and situation of each of the Barbary powers. The principal strength, you will see, is that of Algiers. The force of Tunis and Tripoli is contemptible, and might be crushed with any one of the frigates under your command.

"Should Algiers alone have declared war against the United States, you will cruise off that port, so as effectually to prevent any thing from going in or coming out, and you will sink, burn, or otherwise destroy their ships and vessels, wherever you find them.

"Should the Bey of Tripoli have declared war, (as he has threatened,) against the United States, you will then proceed direct to that port, where you will lay your ship in such a position as effectually to prevent any of their vessels from going in or out. The Essex and Enterprize, by cruising well on towards Tunis, will have it in their power to intercept any vessels which they may have captured. By disguising your ships, it will be some weeks before they will know that the squadron is cruizing in the Mediterranean, and give you a fine chance of punishing them.

"If Tunis alone, or in concert with Tripoli, should have declared war against the United States, you will chastise them

in like manner, by cruizing with the squadron, from the small island of Maratimo, near the island of Sicily, to Cape Blanco on the Barbary shore, you may effectually prevent the corsairs of either from intercepting our commerce in the material part of the Mediterranean sea, and may intercept any prizes they may have made.

"Any prisoners you may take, you will treat with humanity and attention, and land them on any part of the Barbary shore most convenient to you. This mode will be humane, and will shew that we have no sort of fear, what such men can do. It will also tend to bring those powers back to a sense of justice which they owe to us. But you will be careful to select from them such Christians as may be on board, whom you will treat kindly, and land, when convenient, on some christian shore. Should you have occasion, you may accept their services."

"I am respectfully, &c:
(Signed,) "S. SMITH."

Commodore Dale was also instructed to write to the Dey of Algiers and the Bey of Tunis, as follows:

"MAY IT PLEASE YOUR EXCELLENCY.

"Having the honor to command a squadron of observation, despatched by the President of the United States into the Mediterranean sea, to support the safety of their commerce, threatened with attacks by the Bashaw of Tripoli, and to exercise our seamen in nautical duty, the instructions that I have received from the President, require, that in approaching your harbour, I should tender the profound respect that is due to your Excellency's dignity and character, and should recommend the squadron under my command, to your hospitality and good offices. I leave to the consul of the United Sates, the task of explaining more particularly, the friendly dispositions of the United States towards your excellency, the proofs of which he is charged, of their desire to maintain the treaty between the two powers, and the reliance of the President, on similar dispositions on your part; for myself I only make use of the occasion to assure your excellency of the sensibility with which I shall experience your friendly countenance and accommodations, and of the sentiments of reverence and exalted esteem with which,

"I have the honor to be, your excellency's obedient servant."

Commodore Dale gave the following account of his operations, in letters addressed to the Secretary of the Navy.

GIBRALTAR BAY, July 2d, 1801.

"On my arrival here, I found lying at anchor, the high admiral of Tripoli, in a ship mounting twenty-six guns, nine and

six pounders, two hundred and sixty men, and a brig of sixteen guns, one hundred and sixty men. He has been out thirty-six days, says he is not at war with America, nor has he taken any thing. He came in here for water, and is under quarantine at present. From every information I can get here, Tripoli is at war with America."

Tunis Bay, July 18, 1801.

"Mr. O'Brien informed me, that the Dey of Algiers had been complaining very much of the United States, in not making their annnal payments good, and had gone so far as to say, that he would not put up with it much longer. He was now confident, he said, that they would not speak so big, and had no doubt that the arrival of the President at Algiers had much more weight with the Dey, than if the Washington had arrived with stores. He did not think it a proper time to mention to the Dey about receiving thirty thousand dollars instead of stores. Mr. O'Brien took the cloth and linen on shore with him.

"I arrived in Tunis bay the 17th instant, and sent a letter on shore to Mr. Eaton; the 18th he came on board. The Essex and the ship Grand Turk arrived the same day. From Mr. Eaton's information, this regency has been much in the same way as Algiers, and the appearance of our ships will have the same effect on the great and mighty Bey of Tunis."

Malta Harbor, August 18, 1801.

"I arrived off Tripoli the 24th ult. the 25th I received a letter from Mr. Nissen, consul for Denmark at Tripoli. He was requested by Mr. Cathcart to act for him in his absence, should there be a necessity for it. The letter was wrote at the request of the Bey, to know if my intentions in coming off Tripoli, were to make peace or war. I wrote him that my intentions, in the first instance, were friendly; but the act of his excellency, in declaring war against the United States, had put that disposition out of my power, and that I was determined to take his vessels of every description, and his subjects wherever I could find them; but at the same time I should be glad to know his reasons for declaring war, and on what principles he expected to make peace; that on these points I wished information as soon as possible, that I might inform the President of the United States, and ascertain his determination respecting the business. The next day the Bey sent off a Jew, to negotiate for a peace or truce. I informed him, that his excellency had not answered my letter; that I was not empowered to make a new treaty; but if the Bey would answer my letter, and send off one of his officers, and was serious in the business, I would then treat with him about a truce. The Jew went on shore. I have not heard from him since. The Bey wrote me previous to this, that he had good reasons for declaring war

against the United States; but if I would come on shore, he was very certain we should be able to make a peace. He said he did not like the first and twelfth articles in the old treaty, and did not wish to have any thing to do with the Dey of Algiers.

"I am happy to inform you, that the Enterprize, on the 1st instant, on her passage to this place, fell in with a polacre ship, mounting fourteen guns and eighty men, a corsair belonging to Tripoli. The enclosed is a copy of Mr. Sterrett's letter to me, which will give you an account of the action, and the result of it. Mr. Sterrett is a very good officer, and deserves well of his country. After being eighteen days off Tripoli, and seeing nothing in that time, but two small vessels, Tunisians, one bound in and the other out, and receiving information that the Bey had boats stationed along the coast, both to the eastward and westward, on the 11th instant, I determined to run along the coast to the westward, as far as the Island of Pidusa; from Pidusa, to this place for water. I arrived here the 16th instant—saw nothing on my passage."

Gibraltar Bay, October 4, 1801.

"Having completed my water on the 21st August, I sailed again. On the 30th, I brought too a Greek ship from Constantinople and Smyrna, bound into Tripoli, loaded with beans and merchandise, and having on board one Tripolitan officer, twenty soldiers, fourteen merchants, five women, (four of them black.) and one white child, all Tripolitans. I took them all on board. I thought this a favorable opportunity to try to bring about, and settle an exchange of prisoners with the Bey, should his corsairs take any Americans, (I say God forbid.) I accordingly sent three of the Tripolitans on shore, in a small boat, with a letter to Mr. Nissen, requesting him to make the contents of it known to the Bey. The next day, Mr. Nissen came off at the Bey's request, to know if I would make a truce. Mr. Nissen informed me, that he had told the Bey before he came off, that he could not say any thing to me on that subject, until he had answered my letters on that point. The Bey told him to go off and try; and if I would, he would then talk to me about the exchange of prisoners and a peace. My mind was made up on that subject, knowing I had no orders to make a truce, little was said on that subject. Mr. Nissen told me, that the Bey said, that he would not give one American for all the soldiers, and that only eight of the merchants were his subjects. He cared very little about any of them. At length they Bey agreed to give three Americans, for twenty-one soldiers, and three for the eight merchants. Circumstanced as I was, I was under the necessity to act as I did, namely, to put all on board the Greek ship again, and

permit them to go into port. I wrote to Mr. Nissen, to inform the Bey, that I agreed to the exchange of three Americans for the soldiers, but I did not consider the merchants as prisoners, nor could I fix on any thing respecting them, until I knew the determination of my government, and that the present transaction was not be considered a precedent in any future negotiation. This transaction took place on the 3d September, the ship's company then very sickly, ninety-four on the doctor's list, and a number more complaining. Not knowing to what extent the sickness might go, and not having more than one month's provisions on board, at eight P. M. I was under the necessity of coming to a determination a to give up the blockade of Tripoli, and proceed to Gibraltar.

"Mr. Gavino informed me about a month ago, that the Tripolitan admiral had laid up his two corsairs here, and took his passage, with eight of his officers, on board of an English ship bound to Malta, leaving the captain of the brig and twenty men, to take care of the two vessels, and bring the ship home, if he had an opportunity; sent the remainder of his men over to Tetuan in boats.

"I think it necessary that two frigates should remain in those seas all the winter, under the present circumstances. The Philadelphia to rendezvous at Saragossa, the south east end of the island of Sicily. I shall give captain Barron orders to show himself off Tripoli and Tunis every now and then, to let those fellows know and see that we are on the watch for them. The Essex to rendezvous at Gibraltar and Algeziras, as may be most convenient, to keep a good look out, and know what is going on in this quarter."

The Bashaw of Tripoli was particularly anxious to have a truce, because he was in want of grain, and was desirous of getting his two armed ships from Gibraltar. He had requested the interposition of the Dey of Algiers to relieve him from these embarrassments; and the Dey had desired passports from consul O'Brien for two hundred and fifty men, part of the crews of those two armed vessels, to return to Tripoli,— Both the regencies of Tunis and Tripoli had urged the Dey to protest against the custom of blockade "as being a novel system as applied to them, alike prejudicial to all their common interests."

The commodore in rejecting the proposition for a truce, gave a new proof of that clear sound judgement for which he has ever been distinguished; and consul O'Brien acted in character in refusing the passports. That policy which presses the most severely upon the interests of a foe, is the best calculated to produce peaceful dispositions in him, provided the boundaries of humanity be not transcended. The "novel system" of which these powers complained was precisely the one which sound policy dictated on our part. Its tendency was to seal up their ports, prostrate their trade, cut off every external source of supply, and produce discontent and revolt.

The following is a copy of lieutenant Sterrett's letter to commodore Dale, communicating his action with the Tripolitan ship:—

At Sea, August 6, 1801.

"Sir—I have the honor to inform you, that on the 1st August, I fell in with a Tripolitan ship of war, called the Tripoli, mounting 14 guns, commanded by Rais Mahomet Sous. An action immediately commenced within pistol shot, which continued three hours, incessant firing—she then struck her colors. The carnage on board was dreadful, she having twenty men killed and thirty wounded: among the latter was the captain and first lieutenant. Her mizen mast went over the side. Agreeably to your orders, I dismantled her of every thing but an old sail and spar—with heart felt pleasure I add, that the officers and men throughout the vessel, behaved in the most spirited and determined manner, obeying every command with promptitude and alertness. We had not a man wounded, and sustained no material damage in our hull or rigging.

"I am, &c.

"A. STERRETT."

The Enterprize mounted twelve guns and had a crew of ninety-four men—D. Porter and R. H. L. Lawson were the sea lieutenants, and E. S. Lane the lieutenant of marines, of the Enterprize in this action. We regret that it is not in our power to give the names of the midshipmen and other officers.

Upon this occasion Congress passed the following resolutions:—

Resolution expressing the sense of Congress on the gallant conduct of lieutenant Sterrett, the officers and crew of the United States schooner Enterprize.

February 3d, 1802. "*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That they entertain a high sense of the gallant conduct of lieutenant Sterrett, and the other officers, seamen, and marines, on board the schooner Enterprize, in the capture of a Tripolitan corsair, of 14 guns and eighty men."

"*Resolved*, That the President be requested to present to lieutenant Sterrett, a sword, commemorative of the aforesaid heroic action; and that one month's pay be allowed to all the other officers, seamen, and marines, who were on board the Enterprize, when the action took place."

Mr. Secretary Smith communicated the above resolution, to commodore Morris the commanding officer of the American squadron in the Mediterranean, in the following terms:

"Congress have directed that a sword be presented to lieutenant Andrew Sterrett, in consideration of his gallant conduct,

on the first of August 1801, in attacking and vanquishing an enemy of force superior to his own; in which his manœuvres were so admirable, that although the enemy lost twenty men killed and thirty wounded, there was not a man injured or wounded on board of the vessel he commanded.

"My feelings will not permit me to wait the return of lieutenant Sterrett to this country, to carry the directions of Congress into effect. I have therefore to request that you will be pleased to purchase and present to him in the name of the government, a suitable sword, not exceeding in the cost, the sum of one hundred and eighty dollars. You will draw on the agents at Leghorn for the amount, particularly expressing in your draft, the purpose for which it shall be drawn."

President Jefferson, in his message, 8th December, 1801, observes:

"With respect to the extent which our naval preparations should be carried, some difference of opinion may be expected to appear; but just attention to the circumstances of every part of the union, will doubtless reconcile all. A small force will probably continue to be wanted, for actual service, in the Mediterranean. Whatever annual sum beyond that you may think proper to appropriate to naval preparations, would perhaps be better employed in providing those articles which may be kept without waste or consumption, and be in readiness when any exigence calls them into use."

"I sent a small squadron of frigates into the Mediterranean, with assurances to that power, (Tripoli,) of our sincere desire to remain at peace; but with orders to protect our commerce against the threatened attack. The measure was seasonable and salutary. The Bey had already declared war in form —his cruizers were out—two had arrived at Gibraltar—our commerce in the Mediterranean was blockaded, and that of the Atlantic in peril—the arrival of our squadron dispelled the danger—one of the Tripolitan cruizers having fallen in with and engaged the small schooner Enterprize, commanded by lieutenant Sterrett, which had gone out as a tender to our larger vessels, was captured, after a heavy slaughter of her men, without the loss of a single man on our part. The bravery exhibited by our citizens on that element, will, I trust, be a testimony to the world, that it is not a want of that virtue, which makes us seek their peace. Unauthorized by the constitution without the sanction of Congress, to go beyond the line of defence, the vessel being disabled from committing further hostilities, was liberated with its crew. The legislature will, doubtless, consider, whether, by authorizing measures of offence also, they will place our force on an equal footing with that of its adversaries."

"I wish I could say that our situation with all the other barbary states was entirely satisfactory."

Congress having received information of the declaration of war by the regency of Tripoli, passed, on the 6th February, 1802, " an act for the protection of the commerce and seamen of the United States against the Tripolitan cruizers."

The first section of this act declared it "lawful *fully* to equip, officer, man, and employ, such of the vessels of the United States, as may be judged requisite by the President of the United States, for protecting effectually the commerce and citizens thereof on the Atlantic Ocean, the Mediterranean, and adjoining seas." The second section declared it lawful for the President of the United States to instruct the commanders of public armed vessels to subdue, seize, and make prize of all vessels, goods, and effects belonging to the Bashaw of Tripoli, or to his subjects, and to bring or send the same into port, to be proceeded against and distributed according to law; and also to cause all such other acts of precaution or hostility, as the state of war would justify and might, in his opinion, require. The third section authorized the President to grant special commissions to the private armed vessels of the United States, so as to invest them with power to capture Tripolitan vessels, goods, and effects—their commissions to be revocable at his pleasure. Before the granting of such commission, the owner or owners and the commander of any such private armed vessel, were required to give bond with at least two responsible sureties, not interested in such vessel, in the penal sum of seven thousand dollars—or fourteen thousand dollars if such vessel be provided with more than one hundred and fifty men, "with condition for observing the treaties and laws of the United States, and the instructions of the President—and also for satisfying all damages and injuries which shall be done, contrary to the tenor thereof, by such commissioned vessel; and for delivering up the commission when revoked by the President of the United States."

The fourth section enacted that any Tripolitan vessel, goods, and effects, captured and brought into any port, by any private armed vessel of the United States, duly commissioned, might be adjudged good prize, and should thereupon accrue to the owners, officers, and men, of the capturing vessel, and should be distributed according to agreement between them, or, in failure of such agreement, according to the discretion of the court having cognizance of the capture—and the

Fifth section authorized the engaging of seamen to serve in the navy of the United States "for a period not exceeding two years," subject to be discharged sooner by the President, if, in his judgment, their services might be dispensed with.

Soon after the passage of the above recited law, viz. on the 18th February, 1802, the commanders of our armed ships and vessels in the Mediterranean, were authorized by special commissions, to subdue, seize, and make prize of, all vessels, goods and effects, belonging to the Bashaw of Tripoli or to

his subjects; and in executing the duties arising out of such commissions they were enjoined to bear in mind, that the rights of all other nations were to be duly respected; that we were at peace, and wished to continue at peace with them, and that an American commander should be as much distinguished for his attention and adherence to all the rights of humanity and hospitality, as by his firmness in support of the honor of his country—and they were required to refrain from exercising the power of capturing or recapturing in waters within the jurisdictional limits and under the protection of any other nation; that their peace and sovereignty might remain unviolated by us; and they were assured that the President would scrupulously and without indulgence, examine that conduct which should bring us into collision with any other power.

They were further directed, if practicable, to send their prizes into some port of the United States to be proceeded against and distributed according to law—and to send with their prizes, all papers, charter parties, commissions, bills of lading, invoices, letters, and other documents and writings found on board.

With regard to prisoners, an exchange was to be attempted; but if found impracticable they were to be disposed of, to some of the powers at war with Tripoli, with a reservation that they should be restored to the United States, in the event of their demanding them, on an adjustment of their differences with Tripoli. If neither of these plans could be effected, the prisoners were to be disposed of at the discretion of the commanders, so as to be at no expense to the United States; reserving, however, some few of the most prominent characters.

Our commanders were further enjoined to aid, succor, relieve, and free any American public or private vessel attacked by the enemy; and a system of rigid blockade was directed to be kept up, as the best means of annoying the enemy; and affording protection to our commerce. Convoy to our vessels whenever convenient, was also ordered. Instructions similar to these were issued to all the commanders then in the Mediterranean, and to all who sailed from the United States for that sea, after the passage of the law of 16th February 1802.

The terms of service for which the crews of the ships, composing commodore Dale's squadron, had entered, having nearly expired, it became necessary, to enable them to return to the United States, to send out a relief squadron; and accordly the following vessels were ordered upon this service—viz:

1802, February 8.—The Enterprize, of 12 guns, A. Sterrett, sailed February 17, 1802.

February 22d—The Constellation, of 36 guns, A. Murray, sailed March 14.

April 1.—The Chesapeake, of 44 guns, R. V. Morris, sailed April 27.

April 23—The Adams, of 32 guns, H. G. Campbell, sailed June 10.

August 31—The New-York, of 36 guns, James Barron, sailed September 1.

September 18—The John Adams, of 32 guns, J. Rodgers, sailed September 19.

All which vessels were placed under the command of R. V. Morris, the senior officer.

With such a squadron, it was confidently expected that commodore Morris, on whose energy and intelligence great reliance was placed, would soon bring the Bashaw of Tripoli to terms. So confidently indeed was this expectation entertained, that he, in conjunction with Mr. Cathcart, then in the Mediterranean, was empowered by the President to negotiate a treaty with that regency, and authority to adjust and accommodate any difficulty that might arise on the part of any of the other Barbary states, was at the same time conferred upon the same agents. Displaying the olive branch in the one hand, and the sword in the other, it was not doubted that honorable and advantageous terms of peace would be obtained.

Commodore Morris was left very much to his own judgment as to the employment of the vessels under his command. Unfettered by any precise instructions, he was left to regulate his movements by those of the enemy, and so to dispose of his force as, while it should afford the most complete protection to our commerce in that sea, should at the same time convince the Bashaw of Tripoli, that it was his interest to be at peace with us, and manifest to all the other Barbary states, that we possessed the means of chastising them, should they attempt to commit any act of hostility against us. It was intimated to him, that a close and vigorous blockade of Tripoli, so as to cut off every external source of supply, would soon humble the Bashaw, and compel him to sue for peace, and that it might be found expedient to lay the principal part of his force immediately before the walls of Tripoli, employing some of the lighter vessels in watching the movements of the other Barbary powers, and in convoying our merchantmen. In addition to the vessels previously named, he was authorized to detain the Boston, then cruising in the Mediterranean, and to purchase from the English or Spaniards, gun boats, for the protection of our trade in the straits of Gibraltar.

To enable him to provide the necessary supplies for his squadron, ample funds were deposited with Messrs. M'Kenzie and Glennie, of London, subject to his drafts, or to the drafts of Messrs. Debutts and Purviance, of Leghorn, that they might reimburse themselves for any supplies they might furnish. An adequate supply of beef, pork, bread, flour, cordage, &c. was sent from the United States, to be deposited at Gibraltar, for the use of the squadron; and in the event of there being such a number of sick persons in the squadron, as to justify the es-

tablishment of an hospital, he was clothed with the power of establishing one in some healthy port in the Mediterranean, for the reception of the sick. Economy as well as humanity dictated this measure, as the lazarettos in the Mediterranean were not only expensive, but were considered the graves of all foreigners who were so unfortunate as to be obliged to enter them.

In all respects, the government made the most ample provision for this squadron. Its force was fully adequate to all the purposes intended and the instructions to its chief were precisely such as a commander, ambitious of honorable distinction, would desire to receive.

Commodore Morris arrived at Gibraltar on the 25th May, 1802, and there found the Essex, captain Bainbridge, (one of the returning squadron,) blockading a Tripolitan ship of twenty-six guns. He had sprung the mainmast of the Chesapeake on his passage from the United States, and it required some time to repair the damage. The Essex sailed from Gibraltar for the United States on the 17th June, 1802, and from that period to the 22d July following, the Chesapeake was employed " in blockading the same Tripolitan vessel, and in watching the movements of the Emperor of Morocco," who, during the previous month, had declared war against the United States; but with whom a peace was concluded in August following, when the Adams, captain Campbell, (having arrived at Gibraltar from the United States, the 21st July, 1802,) was left to blockade the Tripolitan vessel, and commodore Morris proceeded with the Chesapeake and the schooner Enterprize, lieutenant Sterrett, with twenty sail of merchant vessels under convoy, to the ports of Malaga, Alicant, Barcelona, Marseilles, and Leghorn; at which latter place the Chesapeake arrived on the 12th October, 1802, " in want of provisions and repairs."

It appears that while at Leghorn, commodore Morris issued instructions, directing the different vessels under his command, as well those then in the Mediterranean, as those daily expected from the United States, to join him at Malta; to which place he proceeded himself with the Chesapeake; whence he reiterated his instructions for the vessels to join him; intending, as soon as a junction of his whole force could be formed, to proceed before Tripoli.

The Constellation, captain Murray, had sprung her foremast in a gale of wind, and put into Malaga. On the 4th January, 1803, the John Adams, captain Rodgers, and the New York, captain Barron, joined the commodore at Malta. The Constellation, captain Murray had proceeded on her return to the United States.

The squadron at Malta, composed of the Chesapeake, commodore Morris, the John Adams, captain Rodgers, the New York, captain Barron, and the Enterprize, lieutenant Sterrett,

left Malta on the 30th January, 1803, for the coast of Tripoli, "with an intention to compel the Bashaw to negotiate a peace, or to burn his corsairs, should he refuse;" but, as commodore Morris observes, "before the squadron had cleared Malta, a gale of wind commenced and blew with extreme violence for eleven days, which rendered it absolutely impossible to approach the coast of Tripoli," and judging from the advices he had received from Mr. Eaton, our consul at Tunis, that our affairs with that regency were in a critical state, "that matters were not quite peaceable in that quarter," and presuming that his appearance "would have a good effect," he bore away for that port; from which he sailed on the 14th March following, for Gibraltar, touching at Algiers, "in order to inform himself of the state of that regency."

Commodore Morris, stated, that his principal object in going to Gibraltar, was to procure supplies of provisions of which the squadron was in "great want;" and that he might thence send the Chesapeake to the United States, in pursuance of instructions from the Secretary of the Navy, dated 23d October, 1802, and received by him while at Malta, 4th January, 1803,

He arrived at Gibraltar on the 23d March, 1803 transferred his flag, from the Chesapeake to the New York, appointed captain James Barron to the command of the former, with orders to return to the United States; and on the 10th April, he set sail from Gibraltar in the New York, with the John Adams, and Enterprize for Malta; the Adams, captain Campbell, having been previously despatched "with a convoy up the Mediterranean, with orders to join him off Tripoli."

On the 25th April, 1803, "in consequence of an explosion of some powder on board the New York," he "was compelled to stop at Malta, to repair the injury that ship had sustained;" and he there found it necessary to have the Enterprize coppered. On the 3d May, commodore Morris sent the John Adams, captain Rodgers "to blockade the port of Tripoli;" and about the last of May, he joined the John Adams, with the rest of his squadron, before Tripoli."

On the 29th of May, 1803, he addressed a letter to N. Nissen, esq. his Danish majesty's consul at Tripoli, "soliciting" him to communicate to the Bashaw of Tripoli, "that he was authorized by his government to negotiate with him," and that he was "ready to commence a treaty immediately, should he (the Bashaw) be disposed for peace."

On the 31st May the Bashaw informed him, that he had named "his trusty minister Mahamed Dghies," with full power to negotiate; and closed his communication with the following observation: "I do not fear war—it is my trade—I understand it better than any body."

The commodore proposed that the negotiation should be conducted on board the New York; which arrangment, how-

ever could not be agreed to, in consequence of the indisposition of Mahamed Dghies. It was therefore decided, upon the commercial agent of the French Republic, then resident at Tripoli, becoming responsible for the safety of the commodore's person, that the business should be conducted on shore. An interview took place on the 7th June; and on the 8th the minister, Dghies, informed commodore Morris that his master, the Bashaw, demanded two hundred thousand Spanish milled dollars and the expenses of the war "for a peace;" intimating his disposition to "employ his influence" to induce his master to lower his demands.

On the same day commodore Morris offered a present of five thousand dollars in specie, on condition of the Bashaw's agreeing to the project of a treaty of peace which had been prepared, and was submitted. To this offer he received "a verbal message" informing him "that the business was at an end, and that he must depart immediately," and thus ended the negotiation.

On the 10th June, commodore Morris, with the New-York and Enterprize, quitted the coast of Tripoli, and proceeded to Malta, leaving the John Adams and Adams to continue the blockade of that port. It appears to have been the intention of commodore Morris, to leave these two ships off Tripoli, and to proceed with the New-York and Enterprize down the north side of the Mediterranean, touching at the several ports, for the purpose of affording convoy to such of our merchantmen as he should find in them; but on his arrival at Malta, he received a letter from Mr. Davis, charge des affaires at Tunis, (dated 24th March, 1803,) informing him, that there was a "strong armament fitting out at Tunis, and that a junction was intended between the fleet of that power and the Algerines." This information rendered it expedient, in the commodore's opinion, to keep the "whole of his squadron together," that he might "be prepared to meet so formidable a force," expecting that they only waited a favorable opportunity to declare war. Under these circumstances, he "raised the blockade of Tripoli;" on the 26th June, 1803, collected his whole force at Malta, and thence proceeded to Messina, Naples, and Leghorn, where he arrived on the 13th August, from which place he despatched the John Adams with convoy to Gibraltar—the Adams with Mr. Cathcart, to Tunis, and thence to Gibraltar—and the Enterprize back to Malta for despatches, (which he had understood had passed up to Malta for him,) to be brought to him off cape De Gatt. Having made these arrangements, the commodore left Leghorn, in the New York, for Gibraltar, and touching at Malaga on his way thither, he received his letter of suspension dated 21st June—which transferred the command of the squadron, and of the frigate New York to commodore Rodgers, and directed commodore Morris to take

charge of the Adams, and return without delay to the United States, where he arrived on the 21st November, 1803.

On his arrival, he was called on for an explanation of his conduct during his command. The considerations which had induced the President to direct his suspension were frankly and explicitly stated to him; but he could offer no explanation that was deemed satisfactory. It was therefore determined to institute a solemn inquiry into his conduct; and as from the warrant, convening the court on this occasion, we may see the causes of his suspension, it is here given at length:

To Samuel Barron, esq. a captain in the Navy of the United States.

"Whereas, the President of the United States did send a squadron of ships of war to the Mediterranean, and did give the command thereof to Richard V. Morris, a captain in the Navy of the United States, with orders and instructions to subdue, seize, and make prize of all vessels, goods, and effects belonging to the Bashaw of Tripoli, or to his subjects; and to exert such other efforts as should be judged most proper for annoying the enemy and for protecting the commerce and seamen of the United States; and whereas Richard V. Morris was specially instructed to proceed with the squadron under his command and lay off against Tripoli, and closely and vigorously blockade that port; all which will, by our several instructions hereto annexed, more fully appear. And whereas, a close and vigorous blockade of the port of Tripoli hath not been made; and all practicable means have not been used to annoy the enemy: concerning the cause of which disobedience and neglect, we think it necessary that inquiry should be made, in order that we may have a faithful report made to us of the causes thereof, for our better information. The President of the United States has therefore charged me to call a court of inquiry, for the purposes aforesaid; and you are hereby accordingly ordered to proceed to this place, to act as a member of the said court, and being the senior officer called, you will be the President thereof. Notifications are also transmitted to captain Hugh G. Campbell and lieutenant John Cassin, with orders to appear at this place, on or before the first day of April next, as members of the court; and the court is hereby directed and empowered to summon such persons as may be necessary to give information touching the said matters; and is moreover authorized, empowered, and required, strictly to examine into the matters before mentioned, and to report a statement thereof as it shall appear to them, together with their opinion thereon; all which you are to transmit to me, to be laid before the President of the United States, for his consideration; and for so doing, this shall be to you and to our

other said officers, and all others concerned, a sufficient warrant.

Given under my hand and seal of the Department of the Navy, this 10th March, 1804.

R. SMITH, *Secretary of the Navy.*

Under this precept the court, consisting of

CAPT. SAMUEL BARRON, *President.*
CAPT. H. G. CAMPBELL. } *Members, and*
LIEUT. JOHN CASSIN, }
WALTER JONES, Jr. Esq. *Judge Advocate.*

Convened in the City of Washington, on the 3d April, 1804, and continued its sessions, by adjournment from day to day, till the 13th April, 1804—and its finding was as follows:

Friday, 13th April, 1804. Present all the members and the Judge Advocate.

"The court was cleared, and proceeded to form and pronounce their opinion, as follows. viz.

"This court having carefully examined, and deliberately weighed, the evidence produced, and all that was alleged by captain Richard V. Morris, in explanation or in vindication of his conduct, do report, as their opinion:

"That the said captain Morris did not conduct himself, in his command of the Mediterranean squadron, with the diligence or activity necessary to execute the important duties of his station; but that he is censurable for his inactive and dilatory conduct of the squadron under his command, in these instances, viz.

"1. In remaining with, and detaining his squadron at Malta, without necessity, or any adequate object, answerable to the length of his stay and detention aforesaid: that is to say, from the 5th to the 30th day of January, 1803; and from the 11th to the 19th day of February, 1803; and also from the 1st to the 21st day of May, 1803.

"2. In carrying his whole squadron, on the 19th February, 1803, from Malta to Tunis bay, and thence down to Gibraltar, and not returning with, or sending back any part of his squadron till the month of May following, having, in the mean time, no part of his squadron on the station aloft, to cruise off the coast of Tripoli, or otherwise protect our commerce in that quarter, as occasion might serve.

"3. In remaining with, and detaining his squadron at Gibraltar without necessity, or any adequate object, till too late a period in the spring of the year 1803; that is to say, from the 23d March to the 11th April, 1803.

"4. In not proceeding with, or sending any part of his squadron (after the one unsuccessful attempt in the month of January, 1803) to the coast of Tripoli, till he sent captain Rodgers from Malta with the frigate John Adams alone, on the 5th May, 1803; who arrived with his frigate on the 8th May following.

"5. In not going sooner than the 22d May, 1803, to the coast of Tripoli.

"6. In quitting the blockade of Tripoli, on the 10th June 1803, in the frigate New York, accompanied by the schooner Enterprize, without necessity or any adequate object, and never afterwards appearing on the coast of Tripoli.

"7. In raising the blockade of Tripoli, on the 26th June 1803, and carrying the whole squadron from thence to Malta, Messina, Naples, Leghorn, &c. without necessity or any adequate object; and never afterwards sending any part of the squadron to the coast of Tripoli.

"And this court do further report, that, as to the period that the Mediterranean squadron was under the command of captain Morris, from 25th May, 1802, when he first arrived in the Mediterranean, to the 5th January, 1803, when he was joined at Malta by captain James Barron, with the frigate New York, and by captain John Rodgers, with the frigate John Adams, there are no facts disclosed by the evidence, sufficiently clear and explicit, whereon to ground any censure of the conduct of captain Morris, in his command aforesaid, or whereon to form any specific opinion, sufficiently satisfactory to the judgment and conscience of this court. Wherefore they have limited the expression of their opinion to such periods of his command, and to such parts of his conduct, as they could, from the evidence, fairly and clearly pass an opinion upon."

Given under our hands, this 13th April, 1804.

(Signed) S. BARRON, *President*,
HUGH G. CAMPBELL,
JOHN CASSIN.

While the John Adams, captain Rodgers, was blockading Tripoli, she captured the Meshouda, of 20 guns, belonging to the Emperor of Morocco. This was one of the vessels which had belonged to Tripoli, and which had for many months been blockaded at Gibraltar. The Emperor of Morocco purchased her of the Bashaw of Tripoli; sent her to Tunis, where she completed her cargo, and thence proceeded for Tripoli, which port she attempted to enter in violation of the blockade, and was captured in the attempt.

The following letter from captain Rodgers, to the Secretary of the Navy, gives an account of "the gallant enterprize," referred to in President Jefferson's message to Congress, of 5th December, 1803.

United States' frigate New-York,
Potomac, December 4th, 1803.

"SIR—I have the honor to make you acquainted with the particulars relative to the destruction of the Bashaw of Tripoli's largest cruiser, by referring you to the following extract from my journal:

"On the evening of the 21st of June last, owing to some extraordinary movements of the gun boats in the harbor of Tripoli, I was induced to conceive that the Bashaw either intended to send some cruisers to sea during the night, or that he had received intelligence of some bound in. I therefore, accordingly made such disposition of the vessels engaged in the blockade, as to enable us to intercept either, by stationing the Adams, captain Campbell, to the westward, the schooner Enterprize, lieutenant Hull, to the eastward, and remaining myself, with the John Adams, abreast of the town; and at half past 7, A. M. on the following day, Tripoli, bearing W. S. W. distance three or four leagues, observed the Enterprize in the S. S. E. with a signal flying, its signification not distinguishable; made sail and stood towards her; at 8 do. spoke the Enterprize, when lieutenant Hull informed me that a large ship of the enemy, was anchored close in with the beach."

"At half past 8, A. M. shortened sail and prepared to anchor, with springs on our cables, discovering that the enemy was anchored, with springs on his cables, in a deep narrow bay, about 5 or 6 leagues to the eastward of the town, and in a situation, very advantageous to the defence of their ship. At the same time, observed, nine gun boats, close in with the shore, coming to her assistance, and a vast number of cavalry and armed men on the beach. At 7 minutes before 9, A. M. being in 7 fathoms water, and supposing we were within point blank shot, commenced firing, which the enemy returned, and a constant fire was maintained on both sides, for forty-five minutes, when the enemy's fire was silenced; at which instant the crew abandoned the ship, in the most confused and precipitate manner, such as her boats could not carry leaping overboard. At this moment, being in a quarter less than five fathoms water and the rocks appearing under our bottom and in every direction around us, I thought it prudent to wear and lay the ship's head off shore, and in the mean time, ordered lieutenant Hull to stand as close in as consisted with safety, and amuse the enemy on the beach, until our boats could be hoisted out to take possession. At a quarter before 10, A. M. discovering one of the enemy's boats returning to the ship, whilst in the act of hoisting out ours, tacked and renewed our fire, and in a few minutes after had the satisfaction to see the enemy's colors hauled down, at the same time firing both their broadsides, which was accompanied by the ship's blowing up with a tremendous explosion, which burst the hull to pieces, and forced the main and mizen masts one hundred and fifty or one hundred and sixty feet perpendicularly into the air, with all the yards, shronds, stays, &c. belonging to them. This ship was polacre rigged, mounting 22 guns, and the largest cruiser belonging to Tripoli, to appearance a very fine vessel; and from the number of persons we saw abandon her, her crew must have consisted of upwards of two hundred men. All the men who

returned to the ship, were blown up in her, and I have reason to believe her captain was among the number, as well as many lives lost before they abandoned her, as we saw several shot holes through her. Immediately after the ship blew up, I ordered the signal made to chase the gun boats, but was not able to approach them within gun shot, owing to the water being very shoal a great distance seaward of them."

"I have the honor be,
with the utmost respect, sir,
your obedient humble servant,
"JOHN RODGERS."

"Hon. ROBERT SMITH,
"*Secretary of the Navy.*"

When commodore Morris arrived near the coast of Tripoli, with his squadron, a number of merchant vessels, convoyed by several gunboats, were discovered, making for Tripoli. Chase was immediately given. The gun boats escaped into Tripoli. The merchant vessels, eleven in number, loaded with wheat, were driven into Old Tripoli. Lieutenant David Porter proposed to the commodore to take the boats of the squadron, the following night, and attack these vessels, then defended by a number of men stationed near a large stone building; but the commodore, calculating that his force would enable him to obtain them by "negotiation," declined concurring in the proposition.—He, however, permitted lieutenant Porter, in the course of the night, to proceed with four men in an open boat and muffled oars, to reconnoitre the position of the vessels, preparatory to an attack, in the event of "*negotiation*" failing. Lieutenant Porter completed his observations without interruption—not a single shot having been fired at him, till he put about to row off, when innumerable vollies of musketry were discharged towards him—he escaped, however, without having sustained the slightest injury; owing, no doubt, to the darkness of the night, which, while it served him, served the enemy also, so effectually as to prevent a discovery of the operations they were then carrying on. The next morning it was perceived that the enemy had, during the night, hauled up all the vessels at high tide, and erected extensive breast works from both sides of the stone building; and that the vessels were lying side by side, high and dry, their sterns within twenty feet of the breast work, so as to render it impossible for them to be cut out. Previously to being hauled up, the vessels were unloaded, and their cargoes (bags of wheat) with stones collected in the neighborhood, formed the breastwork, which was on a bank, fifteen to eighteen feet high, and behind which it was perceived a great number of armed men, collected during the night, were stationed, ready to defend the ves-

sels; and a multitude of cavalry covered the high grounds, presenting a grand and formidable appearance. It is supposed, indeed, that almost the whole force of Tripoli had been drawn to this point during the night. Under these circumstances, the boats of the squadron under the command of lieutenant Porter, were manned and ordered to attack and set fire to the vessels. Unappalled by the preparations made to receive them, they proceeded on this service, in open day. As soon as they arrived within musket shot, the men behind the breastwork commenced a heavy fire upon them, which could only be returned occasionaly, as they showed their heads above the works, or came out from behind them. As the boats approached, several of our men were killed and wounded—among the latter, lieutenant Porter, who received a slight wound in the right thigh, and a ball through the left, which, however, did not occasion one moment's intermission of his exertions. Proceeding steadily to their object, they were so near the works, that five or six of the enemy stepped from behind them, picked up handfulls of pebbles and earth, threw at them, and then discharged their pieces. The moment, however of their discovery was the moment of their fate—the whole of them were shot down—the boats advanced within pocket-pistol shot of the breastwork, and their crews leaped from them, boarded the vessels, and set fire to the whole of them—then, agreeably to a preconcerted arrangement, they retired to the right and left, so as to leave an opening for the fire of our ships, then lying within point blank shot—the ships accordingly opened upon the enemy, in the expectation of completing the work so gallantly commenced by the boats; but the enemy, in apparent disregard of the many broadsides discharged at them, came in bodies from behind their breastwork, extinguished the flames, and preserved their vessels.

Lieutenant Porter, altho' severely wounded, proposed to renew the attempt; but the commodore considered the service too hazardous, and the enterprize was abandoned.

The service performed by the boats of the squadron, reflected honor upon their several commanders and crews—the names of all were never reported; but those of lieutenant David Porter, lieut. James Lawrence, and midshipman John Downes, were mentioned as deserving particular distinction. Many thousand balls were fired by the enemy from muskets and *pistols*, and yet, astonishing to relate, our whole loss in killed and wounded, did not, it is believed, exceed fourteen—the loss of the enemy from the fire of the boats and ships, is unknown to us; but it has been estimated as far greater than ours, notwithstanding the decided advantages under which they fought, behind a breast work, proof against musket ball at least, and with numbers probably twenty times greater than that of the boats. Several of their horses were cut in two by cannon shot, from our ships, and their riders were seen to fall as if dead.

It is to be regretted, that the proposition of lieutenant Porter to attack the vessels the first night, was not acceded to—it would have resulted, without question, in the capture or destruction of the vessels, with their valuable cargoes. A promise made by the Tripolitans, to deliver up the vessels the next day, in which the commodore unfortunately confided, may, considering his ignorance of the character of those people, probably be received as an excuse for the check he imposed upon the enterprize of his officers in the first instance.

On the 28 May, it was decided to make an attack on the gun boats off Tripoli; but the result was not calculated to produce any serious effect upon the enemy, owing, it is presumed, to the very unskilful and awkward manner in which the attack was commenced. The John Adams, captain Rodgers, then considerably in the rear of the other ships, was ordered to lead the van, and that ship accordingly bore up, and gained a position as near to the enemy as possible, and opened upon them. The position of the commodore's ship, (the New York,) at that point of time, was about three cables length on the weather bow of the John Adams, and the position of the Adams was about one cable's length on her weather beam, which rendered it impossible for their fire to reach the enemy, without endangering the John Adams, she being directly in their line of fire. This extraordinary mismanagement on the part of commodore Morris drew upon him much censure. In defence of himself, he says, "It was my wish and intention to destroy the enemy and their boats, and if the disposition of the ships was not at one time exactly as I could have wished it to have been, still I cannot impute it to myself as an offence, but to causes that I could not controul. The same might, and no doubt has happened to abler and better seamen than myself; the escape of the enemy, under their batteries, was entirely owing to the calmness of the weather, and the fast approach of night."

The commodore expressed great satisfaction in being able to state, that during the whole period of his command in the Mediterranean, "there was not a citizen of the United States in those seas, who either lost his property or was made a captive,"* and so far as regarded the protection of our trade in that distant sea, his squadron certainly rendered essential services, although no incidents (other than those above mened,) calculated to throw any degree of lustre upon our arms, occurred during his command. This is to be ascribed, not to any deficiency in personal courage on the part of the commo-

* Commodore Morris arrived in the Mediterranean the 25th May, 1802. He was unavoidably detained at Gibraltar a few days, to repair his main-mast. It would not, therefore, be just to impute to him any censure from the capture, by three Tripolitan corsairs, of the brig Franklin, A. Morris, on the 15th June, off Cape Palos, near Carthagena.

dore, but to his indolence, and want of capacity. He might have acquitted himself well in the command of a single ship, under the orders of a superior, but he was not competent to the command of a squadron.

His successor, commodore Rodgers, would have done ample justice to such a command; but it was too limited in force and in duration to enable him to undertake any important measure. The same letter which apprized him of the command of the remaining ships of commodore Morris' squadron (the New-York, John Adams, and Enterprize) being transferred to him, informed him that a relief squadron was on its way out, and that he was to return to the United States on its arrival, as the terms of service of his crews had nearly expired. This letter was received by com. Rodgers about the time that commodore Preble arrived at Gibraltar (September 12, 1803;) and he proceeded immediately on his return to the United States, where he arrived on the 9th December, 1803, stopping only a few days at Tangier Bay, to assist in adjusting our affairs with the Emperor of Morocco, as we shall hereafter mention more particularly.

Soon after the installation of President Jefferson, in 1801, Mr. Stoddert resigned the office of Secretary of the Navy, and Mr. Robert Smith, of Maryland, was appointed his successor; until Mr. Smith entered upon his duties, they were performed by General S. Smith, who declined receiving any compensation for his services, having, it is understood, publicly expressed his disinclination to accept any office of emolument.

Fortunate, as President Adams had been, in the appointment of Mr. Stoddert, Mr. Jefferson was certainly not less fortunate, in the selection of Mr. Smith, who was, indeed, pre-eminently qualified for the station.

At the period of his appointment, the Navy had to contend with innumerable difficulties. It had been employed in a service which, strange as it may appear at this day, was not popular, in the counsels of those who were called to administer the affairs of the nation: and when that service ceased, many were disposed to transfer their dislike from it, to the Navy itself—others were openly, and avowedly hostile, even to the most limited Navy. Hence, numerous and powerful opponents arose, who exerted themselves, on all occasions, to arrest its progress, and defeat every plan of improvement that could be suggested. It required the utmost address and management, to preserve the few officers and vessels, to which an erroneous policy, as we conceive, had reduced this arm of power; and we know of no individual, who contributed more to its preservation than the then Secretary.

His great decision of character, his comprehensive views, his lofty sentiments of personal honor, his penetration, his knowledge of man, and his accomplished manners, qualified

him peculiarly to discharge the various, and at that time arduous, duties of the station. He knew thoroughly, the character of the impetuous spirits over whom he was placed, and how to command them. He could decide against claims or pretensions, nor only without giving offence, but in a way to conciliate esteem and friendship; and when he conferred a favor, his manner of doing it, doubly enhanced its intrinsic value; no man had a higher sense of the necessity of discipline, and subordination, or knew better how to enforce them. He was particularly happy in discovering the merits of the most promising young officers of the Navy, and in bringing forward our Decatur's, Somer's, Lawrence's, Trippe's, and Perry's, who always spoke of him as of a father, entitled to their highest esteem and gratitude.

The relief squadron was ordered from the United States to the Mediterranean, and sailed and arrived at Gibraltar at the following dates:

Constitution,	44 gs.	E. Preble, sailed	Aug. 14,	arr'd Sep. 12.
Philadelphia,	44	W. Bainbridge,	July 18,	Aug. 24.
*Siren,	16	C. Stewart,	Aug. 27,	Oct. 1.
*Vixen,	14	J. Smith,	Aug. 3,	Sep. 14.
*Nautilus,	12	R. Somers,	June 30,	July 27.
*Argus,	16	S. Decatur, for I. Hull,	Sep. 8,	Nov. 1.

There was continued on the station, the Enterprize, 12 guns, S. Decatur:—The whole under the command of commodore Preble.

Commodore Preble received instructions similar to those given to commodore Morris, with regard to the employment of the vessels under his command. Soon after his arrival in the Mediterranean, he issued a circular notification to neutral powers, apprizing them of the blockade of Tripoli. On receiving intelligence of this notification, Mr. Secretary Smith transmitted to commodore Preble the following instructions, upon the subject of blockade:—February 24,1804.

"Sensible as you must be, that it is the disposition as well as the interest of the United States, to maintain the rights of neutral nations, you will, I trust, cautiously avoid whatever may appear to you to be incompatible with those rights. It is, however, deemed necessary, and I am charged by the President to state to you what, in his opinion, characterizes a blockade. I have therefore to inform you, that the trade of a neutral nation in articles, not contraband, cannot be rightfully obstructed to any port not actually blockaded by a force so disposed before it, as to create an evident danger of entering

*Built under the act of Congress, entitled "an act to provide an additional armament for the protection of the seamen and commerce of the United States," passed 28th February, 1803, which appropriated nine thousand six hundred dollars for that purpose.

it. Whenever, therefore, you shall have thus formed a blockade of the port of Tripoli, you will have a right to prevent any vessel from entering it, and to capture for adjudication any vessel that shall attempt to enter the same, with a knowledge of the existence of the blockade. You will, however, not take as prize, any vessel attempting to enter the port of Tripoli without such knowledge; but in every case of an attempt to enter without a previous knowledge of the existence of the blockade, you will give the comamnding officer of such vessel notice of such blockake, and forewarn him from entering. And if after such a notification, such vessel should again attempt to enter the same port, you will be justifiable in sending her into port for adjudication.

"You will, Sir, hence perceive, that you are to consider your circular communication to the neutral powers, not as an evidence that every person attempting to enter had previous knowledge of the blockade, but merely as a friendly notification to them of the blockade, in order that they might make the necessary arrangements, for the discontinuance of all commerce with such blockaded port."

1803, August. Captain Bainbridge, commanding the frigate Philadelphia, having heard on his arrival at Gibraltar, that two Tripolitan cruisers were off Cape de Gatt, proceeded without delay in search of them. On the 26th August, at 8 P. M. being nearly up with Cape de Gatt, he fell in with a ship carrying only her foresail, with a brig in company under the same sail. It being dark, he did not immediately discover that the ship was a cruiser. Having hailed her, he ascertained that she was a vessel of war from Barbary; which induced him to require that her commander should send her passports on board the Philadelphia for examination. She proved to be a cruiser belonging to the Emperor of Morocco, called Meshboha, commanded by Ibraham Lubarez, mounting twenty-two guns, and manned with one hundred men. The officer sent with these passports confessed to captain Bainbridge (who had cautiously avoided giving information as to the ship he commanded,) that the brig in company was an American. Captain Bainbridge immediately suspected that the brig had been captured—and sent his first lieutenant on board the Meshboha to examine if they had any American prisoners. The captain of the Meshboha prevented the execution of this order, which increased captain Bainbridge's suspicions, and determined him to send a boat with armed men to enforce the examination; which resulted in his ascertaining that captain Richard Bowen, of the American brig Celiea, owned by Mr. A. Thayer, of Boston, and several of his crew, were confined below deck. The moment this discovery was made, captain

Bainbridge ordered all the Moorish officers on board the frigate Philadelphia, and took possession of the Meshboha.

While engaged in examining the Meshboha, and receiving her officers on board the Philadelphia, and manning the prize, he lost sight of the brig. He fell in with her, however, the afternoon of the next day, and soon succeeded in recapturing her.

The Moors confessed that they had been cruising under special authority from the governor of Tangier, for the purpose of capturing Americans to be sent to Tangier.

Under these circumstances, commodore Preble judged it expedient to proceed to Tangier bay, for the purpose of ascertaining, whether it was the determination of the Emperor of Morocco, to go to war with us or not; commodore Rodgers being at Gibraltar, on his return to the United States, concurred in the opinion, that it would be important to display as respectable a force as possible, to the view of the Emperor; he therefore agreed to stop a few days, and proceed with the New York, and the John Adams, captain Campbell, to Tangier. Commodore Preble had the Constitution, and the Nautilus. These vessels united, displayed a force well calculated to convince the Emperor, that war with us, would inevitably result in the destruction of all his vessels of war, and the whole of his commerce.

The whole force appeared in Tangier bay, on the 6th October, 1803. At 2 P. M. the Emperor of Morocco arrived; and as he had previously declared, that he was pacifically inclined, commodore Preble ordered his ship to be dressed, and a salute from her of twenty-one guns, as a compliment to his majesty—the salute was returned. On the morning of the 7th commodore Rodgers ordered salutes from the ships under his command, which were returned, and the Emperor sent a present of ten bullocks, sheep and fowls, for the squadron, as a token of his friendship. On the 8th the Emperor appeared with his court and army, for the purpose of viewing the squadron, on which occasion, he was again saluted by the Constitution—and the salute was again returned.

On the 9th the Emperor gave an order under his seal, for the release of the brig Hannah, her cargo and crew, detained at Mogadore, and appointed the following Monday, as the day on which he would give an audience to commodore Preble, and Mr. Simpson, the American Consul at Tangier.

At the appointed time commodore Preble and Mr. Simpson waited on the Emperor, and conversed with him by means of an interpreter. "He expressed much regret that any differences had arisen between the two nations, disavowed having given any hostile orders, and declared he would punish those of his governors who had. He said he was at present at peace with the United States, and wished to continue so. He promised to restore all American property, and release all our

citizens that had been, or might be detained, in consequence of orders from any of his governors." He was, in return assured, that it was the wish of the President of the United States to be on terms of peace and friendship with him; that the order to capture Moorish vessels should forthwith be recalled; that the Meshboha, (or Mirboka,) and all other vessels of his nation captured by the American vessels of war, should be delivered up to him; that commodore Rodgers had authorized the assurance that the Mishouda should also be restored: but that it was expected of his majesty to ratify the treaty made by his father, in 1786. This he agreed to do, and said that his friendship for America should last forever, in consequence of the disposition shewn to oblige him; and that whatever his prime minister should do, should receive his imperial seal and sanction; and that his prime minister should accede to any propositions that might be made in behalf of the Americans.

In an interview with the prime minister, commodore Preble impressed on his mind the advantages of a free commercial intercourse with all nations; that the revenue thence arising would far exceed the value of any prizes they might take in a war with us; that such a war would seal up all his ports, and not permit any vessel of any nation to enter or come out of them. This reasoning was well calculated to have full weight with the minister, who gave assurances that every point should be adjusted to the entire satisfaction of the American commodore.

On the 12th October, commodore Preble received the orders of the Emperor, addressed to all his governors and officers, for the release of the Hannah, at Mogadore, and all other vessels detained; his proclamation of peace, and his ratification of the treaty, with his imperial seal.

Peace being thus re-established, the two armed ships, Mishouda and Meshboha, were delivered up to the Emperor by the captors, after being valued by disinterested, competent judges, and our squadron left Tangier. Commodore Preble urged, however, the necessity of keeping at least one vessel of respectable force in the neighborhood, to watch the movements of the Moors.

In communicating these facts to Congress, Mr. President Jefferson, in his message of 5th December, 1803, observes: "The conduct of our officers generally, who have had a part in these transactions, has merited entire approbation. The temperate and correct course pursued by our consul, Mr. Simpson, the promptitude and energy of commodore Preble, the efficacious co-operation of captains (commodore) Rodgers and Campbell, of the returning squadron, the proper decision of captain Bainbridge, that a vessel which had committed an open hostility, was of right to be detained for inquiry and consideration, and the general zeal of the other officers and men,

are honorable facts, which I make known with pleasure. And to these I add, what was indeed transacted in another quarter, the gallant enterprize of captain (commodore) Rodgers, in destroying, on the coast of Tripoli, a corvette of that power, of twenty-two guns.

"I recommend to the consideration of Congress, a just indemnification for the interests of the captors of the Mishouda and Meshboha, yielded by them for the public accommodation."

The Mishouda was valued at seventeen thousand one hundred and eighty-nine dollars, the Meshboha at ten thousand dollars; and Congress, by act of 19th March, 1804, appropriated one moiety of these respective sums to be distributed among the captors, that being the proportion to which, under existing laws, they would have been entitled, if the vessels had been adjudicated and condemned, as lawful prizes.

CHAPTER XII.

Commodore Preble—His movements—Obtains guns and mortar boats preparatory to an attack of Tripoli—His subsequent operations, including the several attacks—Gallantry and good conduct of his officers and men—Surrenders the command to commodore Barron—Killed and wounded in the several attacks—Tripolitan forces—Address of officers to commodore Preble, on his retiring from command—His reply—Proceeds to Naples to obtain gun boats—Fails—Returns to the United States, where he was received with great attention—Recommends to the government to send gun boats &c. to the Mediterranean—Causes of commodore Preble's having been superseded—Mr. Secretary Smith's letters upon the subject—Thanks of the President to commodore Preble—Sir Alexander Ball's letters—Observations—A gold medal presented to commodore Preble—A sword to each of the commission and warrant officers—Congressional condolence with the relatives of captain Somers—Lieutenants Wadsworth, Decatur, Caldwell, and Israel, and midshipman John S. Dorsey.

Having adjusted our affairs with the Emperor of Morocco, commodore Preble returned to Gibraltar on the 15th October; and the frigates New York and John Adams, sailed thence for the United States on the 19th. On the 23d the commodore sailed for Cadiz, with the Enterprize in company, returned to Gibraltar, declared the coast of Tripoli in a state of blockade, 12th November, and sailed for that coast on the 13th, landed colonel Lear and his family at Algiers on the 19th, sailed thence the 20th, and on the 24th, first heard of the loss of the Philadelphia on the coast of Tripoli. He arrived off Malta on the 27th, and there received a confirmation of this distressing intelligence, in a letter from captain Bainbridge, dated at Tripoli. On the 28th he arrived at Syracuse, from which place, he sent the Nautilus, 16th December, to Gibraltar with despatches, to be forwarded thence to the United States, and on the 17th he sailed on a cruise off Tripoli, the Enterprize in company, and captured the Turkish ketch Mastico, with 70 Tripolitans on board, 23d. On the 26th he encountered a severe north east gale of wind, and was in danger of being lost on the coast of Tripoli, which induced him to return to Syracuse. On the 3d February, 1804, he despatched the Siren and the Intrepid, (late Mastico) to Tripoli, with orders to burn the frigate Philadelphia, and these vessels returned on the 19th, after having exe-

cuted the orders given them, in a most gallant manner, as we shall hereafter state more particularly. On the 2d March, he proceeded to Malta, for the purpose of obtaining supplies, arrived on the 3d, sailed again for Syracuse on the 17th, and on the 21st proceeded from Syracuse for the coast of Tripoli; sent a flag in with letters for the officers on the 27th. On the 30th he again experienced a heavy north east gale, anchored in Tunis bay, the Siren in company, 4th April; put to sea again on the 7th in a gale from the north west, and arrived at Malta on the 12th; sailed thence for Syracuse on the 14th and arrived on the 15th, where the business of the squadron detained him till the 20th, when he again sailed on a cruise, touched at Malta on the 29th, anchored in Tunis bay 2d May, sailed thence 3d for Naples, where he arrived on the 9th in the hope of negotiating a loan of, or otherwise engaging, gun boats to assist in the intended attack of Tripoli. He left Naples on the 19th with the king's order for gun boats and mortar boats; arrived at Messina, on the 25th, and obtained two bomb vessels and six gun boats with cannon, powder, muskets, and pistols. On the 30th he sailed from Messina, with six gun boats, and anchored at Syracuse 31st, sailed thence 4th, and anchored at Malta 6th June, from which place, he on the 9th sailed for the coast of Tripoli. On the 13th, he sent Mr. O'Brien (who had joined him on the 13th of the preceding April) on shore at Tripoli, under a flag. Mr. O'Brien was authorized to treat for the ransom of the American prisoners at Tripoli; and commodore Preble, in a letter, addressed to Sidi Muhamed Dghies, prime minister of Tripoli, assured him, that whatever Mr. O'Brien should do, would be ratified and confirmed by him. He at the same time, requested permission to send clothing and stores on shore for captain Bainbridge, his officers and crew. Mr. O'Brien being unable to effect a ransom of the prisoners, upon acceptable terms, returned on board the Constitution the same day. An arrangement was however made, by which supplies were admitted for the prisoners, and thenceforth their condition was ameliorated.

On the 14th June, 1804, commodore Preble left the coast of Tripoli, with the Argus and Enterprize in company, anchored in Tunis bay on the 19th; for which place he had sailed, in consequence of intelligence from our consul, George Davis, esq. indicating the probability of a rupture with that regency, the Bey having been greatly provoked, because one of our cruisers had detained a vessel belonging to one of his subjects. Commodore Preble, had, prior to hearing of the Bey's hostile dispositions, released the vessel in qestion; and on his arrival at Tunis, he stated this fact to the consul, and at the same time informed him, that the blockade of Tripoli would be rigidly maintained; that all vessels, attempting to enter that port, in violation of the blockade, would be liable to capture, and would certainly be captured by the vessels of

his squadron if detected in the attempt; that a strong reinforcement was daily expected from the United States, and that the Bey might be assured that his temerity would be duly punished, should he make war, or any hostile movement against us. Having good reason to conclude that the Bey had changed his tone, and no longer meditated a declaration of war, commodore Preble sailed on the 22d June for Syracuse, where he arrived on the 25th, having the day previous touched at Malta for information. On the 28th he transmitted money and clothing to captain Bainbridge, sailed for Messina on the 29th, and arrived there on the 1st July. On the 8th July the Nautilus left Messina for Syracuse with two bomb vessels under convoy; and the commodore followed on the 9th, and arrived the same day.

On the 14th July, 1804, commodore Preble, in the Constitution, with the Nautilus, Enterprize, and two bomb vessels, and six gun boats, in company, sailed for the coast of Tripoli, anchored at Malta 16th—sailed again the 21st, and arrived in sight of Tripoli 25th. On the 28th, the squadron anchored near the batteries, when a north east gale obliged them to go to sea again. They soon returned; and the following letter from commodore Preble to the Secretary of the Navy, dated 18th September, 1804, communicated to Congress, by President Jefferson, gives a full account of the subsequent brilliant operations of the squadron under his command.

To the Senate and House of Representatives of the United States.

"I communicate for the information of Congress, a letter of 18th September, from commodore Preble, giving a detailed account of the transactions of the vessels under his command, from July 9th to the 10th September last past.

"The energy and judgment displayed by this excellent officer, through the whole course of the service lately confided to him, and the zeal and bravery of his officers and men, in the several enterprizes executed by them, cannot fail to give high satisfaction to Congress and their country, of whom they have deserved well.

"TH. JEFFERSON."

February 20, 1805.

Commodore Edward Preble, to the honorable R. Smith, Secretary of the Navy.

UNITED STATES'S SHIP CONSTITUTION,
MALTA, September 18th, 1804.

SIR—I had the honor to write you from Messina, under date 5th July. I then expected to have sailed the day following, but was detained by bad weather until the 9th, when I

"left it with two small vessels under convey, and arrived at Syracuse, where we were necessarily detained four days. On the 14th, I sailed, the schooners Nautilus and Enterprize in company with six gun boats, and two bomb vessels, generously loaned us by his Sicilian majesty. The bomb vessels are about thirty tons, carry a thirteen inch brass sea mortar and forty men—gun boats, twenty-five tons, carry a long iron twenty-four pounder in the bow, with a complement of thirty five men. They are officered and manned from the squadron, excepting twelve Neapolitan bombardiers, gunners, and sailors attached to each boat, who were shipped by permission of their government. This step I found necessary, as every vessel in the squadron was considerably short of complement.

The gun-boats are constructed for the defence of the harbors; they are flat bottomed and heavy, and do not sail or row tolerably well. They are never intended to go to sea, and I find cannot be navigated with safety, unless assisted by tow-ropes from larger and better sailing vessels; nor even then in very bad weather. However, as they were the best I could obtain, I have thought it for the good of our service to employ them, particularly as the weather in July and August is generally pleasant; and without them my force was too small to make any impression on Tripoli. On the 16th of July we arrived at Malta, where we were detained by contrary gales until the 21st, when we left it, and arrived in sight of Tripoli the 25th, and were joined by the Siren, Argus, Vixen, and Scourge. Our squadron now consisted of the Constitution, three brigs, three schooners, two bombs, and six gun boats—Our whole number of men one thousand and sixty. I proceeded to make the necessary arrangements for an attack on Tripoli, a city well walled, protected by batteries judiciously constructed, mounting one hundred and fifteen pieces of heavy cannon, and defended by twenty-five thousand Arabs and Turks; the harbor protected by 19 gun-boats, two gallies, two schooners, of eight guns each, and a brig mounting ten guns, ranged in order of battle, forming a strong line of defence at secured moorings, inside a long range of rocks and shoals, extending more than two miles to the eastward of the town; which, from the harbor, protects them from the northern gales, and renders it impossible for a vessel of the Constitution's draft of water to approach near enough to destroy them, as they are sheltered by the rocks, and can retire under that shelter to the shore, unless they choose to expose themselves in the different channels and openings of the reefs, for the purpose of annoying their enemies. Each of their gun boats mounts a heavy eighteen or twenty-six pounder in the bow, and two brass howitzers on their quarters, and carry from thirty-six to fifty men. The gallies have each one hundred men; schooners and brigs about the same number.

"The weather was not favorable for anchoring until the 28th, when, with the wind east south east, the squadron stood in for the coast, and at 3, P. M. anchored per signal, Tripoli bearing south two and a half miles distant. At this moment the wind shifted suddenly from east south east, to north north west, and from thence to north north east: at five it blew strong with a heavy sea, setting directly on shore: I made the signal to prepare to weigh. At 6, the wind and sea having considerably increased, the signal was made for the squadron to weigh and gain an offing; the wind continued veering to the eastward, which favored our gaining sea room, without being obliged to carry so great a press of sail, as to lose any of our gun-boats, although they were in great danger. The gale continued varying from north east to east south east, without increasing much until the 31st, when it blew away our reefed fore-sail, and close reefed main-top-sail; fortunately the sea did not rise in proportion to the strength of the gale, or we must have lost all our boats. Aug. 1st. The gale subsided and we stood towards the coast; every prepartion was made for an attack on the town and harbor. August the 3d. Pleasant weather, wind east, stood in with the squadron towards Tripoli; at noon, we were between two and three miles from the batteries, which were all manned; and observing several of their gun-boats and gallies had advanced in two divisions without the rocks, I determined to take advantage of their temerity. At half past 12, I wore off shore, and made the signal to come within hail, when I communicated to each of the commanders my intention of attacking the enemy's shipping and batteries. The gun and mortar boats were immediately manned, and prepared to cast off. The gun boats, in two divisions of three each:

"The 1st division—captain Somers, in gun-boat,		No. 1,
	lieutenant Decatur,	2,
	lieutenant Blake,	3,
The 2d division—captain Decatur,		4,
	lieutenant Bainbridge,	5,
	lieutenant Trippe,	6.

"The two bombards were commanded by lieutenant commandant Dent, and Mr. Robinson, first lieutenant of this ship.

"At half past 1, having made the necessary arrangements for the attack, wore ship and stood towards the batteries—at 2, signal made to cast off the boats—at a quarter past 2, signal for the bombs and gun-boats to advance and attack the enemy—at half past two, general signal for battle—at three quarters past 2, the bombs commenced the action by throwing shells into the town. In an instant the enemy's shipping and batteries opened a tremendous fire, which was promptly returned by the whole squadron within grape shot distance: at the same time, the *second* division of the three boats, led by the gallant captain Decatur, was advancing with sails and

oars, to board the eastern division of the enemy, consisting of nine gun-boats. Our boats gave the enemy showers of grape and musket balls as they advanced—they, however, soon closed, when the pistol, sabre, pike, and tomahawk, were made use of by our brave tars.

"Captain Somers being in a dull sailer, made the best use of his sweeps, but was not able to fetch far enough to windward to engage the same division of the enemy's boats, which captain Decatur fell in with; he, however, gallantly bore down with his single boat on five of the enemy's western division, and engaged within pistol shot, defeated and drove them within the rocks in a shattered condition, and with the loss of a great number of men.

"Lieutenant Decatur, in No. 2, was closely engaged with one of the enemy's largest boats, of the eastern division, which struck to him, after having lost a large proportion of men, and at the same instant that brave officer was boarding her, to take possession, he was treacherously shot through the head by the captain of the boat that had surrendered, which base conduct enabled the poltroon, (with the assistance he received from other boats,) to escape.

"The 3d boat of captain Somer's division, kept to windward, firing at the boats and shipping in the harbor; had she gone down to his assistance, it is probable, several of the enemy's boats would have been captured in that quarter.

"Captain Decatur, in No. 4, after having, with distinguished bravery, boarded and carried one of the enemy, of superior force, took his prize in tow, and gallantly bore down to engage a second, which after a severe and bloody conflict, he also took possession of.* These two prizes had thirty-three officers and men killed, and twenty-seven made prisoners—nineteen of which were badly wounded.

"*Lieutenant Trippe*, of the Vixen, in No. 6, ran along side of one of the enemy's large boats, which he boarded, with only midshipman John D. Henley and nine men—his boat

*Captain Decatur's presence of mind, saved his life when he boarded the second boat on the 3d August. Always foremost in danger, the moment he got on board, he made for her commander, who was greatly his superior in size and strength; his sword being broken, he seized the Turk, when a violent scuffle ensued. The Turk however threw Decatur, and had him prostrate on his back, then drawing his dirk, with savage joy in his countenance he was marking the spot where he might pierce him to the heart, when Decatur having a small pistol in the right pocket of his pantaloons, managed to get his hand in the pocket, took hold of the pistol, and turning it as well as he could, so as to take effect upon his antagonist, cocked it, fired through his pocket and killed him.

On another occasion, one of the enemy having a fair chance at captain Decatur's head, made a blow at him with all his force. His object was discovered by a young man of the name of Daniel Frazier, who nobly rushed between Decatur and his foe, and received on his own head the blow destined for Decatur.

falling off before any more could get on board; thus was he left compelled to conquer or perish, with the odds of thirty-six to eleven. The Turks could not withstand the ardour of this brave officer and his assistants—in a few minutes the decks were cleared, and her colours hauled down. On board of this boat fourteen of the enemy were killed and twenty-two made prisoners—seven of which were badly wounded;* the rest of their boats retreated within the rocks. Lieutenant Trippe received eleven sabre wounds, some of which very severe; he speaks in the highest terms of Mr. Henley and those who followed him."

"Lieutenant Bainbridge, in No, 5, had his latteen yard shot away early in the action, which prevented his getting along side the enemy's boats; but he galled them by a steady and well directed fire, within musket shot; indeed he pursued the enemy until his boat grounded under the batteries—she was fortunately soon got off."

"The bomb vessels kept their station, though covered with the spray of the sea, occasioned by the enemy's shot; they were well conducted by lieutenants Dent and Robinson, who kept up a constant fire from the mortars, and threw a great number of shells into the town."

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*Commodore Preble states that lieutenant Trippe, with midshipman John D. Henley and nine men, boarded one of the enemy's boats manned with thirty-six men—killed 14 of them, and made the residue, twenty-two; prisoners, received eleven sabre wounds himself, and had his boatswains mate and two marines wounded, and none killed.

A more extraordinary action was probably never recorded.

The commander of the enemy's gun boat, was a remarkably athletic, gallant man, about twenty-four years of age: his height considerably exceeded six feet. Before he engaged in battle, he swore upon the Koran that he would conquer or die. Trippe was under size, though well set, and extremely active. He and Henley, perceived the gigantic stature of their foe, yet unappalled, made at him. The gallant Turk sustained the conflict, with a firmness worthy of a better fate.—Trippe and Henley admiring his extraordinary courage, were anxious to spare his life, and gave him repeated intimations of their wishes; he, however rejected, indignantly, every overture of the kind, and fought with increased fury. He, it was, who gave lieutenant Trippe eleven wounds. Trippe's life was only saved by his great activity, and perfect self-possession: Finding that the Turk would not yield, although he had received many wounds and bled freely, lieutenant Trippe and midshipman Henley were at length compelled, in self-defence, though with great reluctance, to inflict the mortal wound. The Turk reeled and fell: just before he expired midshipman Henley, supposing him to be dead, stepped over his body. In the agonies of death, he was sensible of this indignity, seized midshipman Henley by the ancle, gave it a violent twist, and expired!

Lieutenant Trippe during his whole life, regretted the necessity he was under of putting this Turk to death. Years after the event had occurred, so great was his sensibility on the occasion, that he shed tears in reciting to us the circumstances. Noble, generous spirit—conspicuous alike for his humanity and his chivalry.

"Five of the enemy's gun boats and two gallies, composing the centre division, and stationed within the rocks as a reserve, joined by the boats that had been driven in, and supplied by fresh men from the shore, to replace those they had lost, twice attempted to row out, to endeavor to surround our gun boats and their prizes. I as often made the signal to cover them, which was promptly attended to by the brigs and schooners, all of which were gallantly conducted, and annoyed the enemy exceedingly; but the fire from this ship kept their flotilla completely in check. Our grape shot made great havoc among their men, not only on board their shipping, but on shore. We were several times within two cables' length of the rocks, and within three of their batteries; every one of which, in succession, were silenced so long as we could bring our broadside to bear upon them. But the moment we passed a battery, it was reanimated, and a constant heavy fire kept up from all that we could not point our guns at. We suffered most when wearing and tacking; it was then I most sensibly felt the want of another frigate."

"At half past four, the wind inclining to the northward, I made the signal for the bombs and gun boats to retire from action, and immediately after, the signal to tow off the gun boats and prizes, which was handsomely executed by the brigs, schooners, and boats of the squadron, covered by a heavy fire from the Constitution. At three quarters past four, P. M. the light vessels, gun boats, and prizes, being out of reach of the enemy's shot, I hauled off to take the bomb vessels in tow. We were two hours under the fire of the enemy's batteries, and the only damage received in this ship is a twenty-four pound shot nearly through the centre of the mainmast, thirty feet from the deck, main royal yard and sail shot away, one of our quarter deck guns damaged by a thirty-two pound shot, which at the same time shattered a marine's arm. Two lower shrouds and two back stays were shot away, and our sails and running rigging considerably cut. We must impute our getting off so well, to our keeping so near that they over-shot us, and to the annoyance our grape shot gave them; they are, however, but wretched gunners."

"Gun boat No. 5, had the main yard shot away, and the rigging and sails of the brigs and schooners were considerably cut. Lieutenant Decatur was the only officer killed, but in him the service has lost a valuable officer; he was a young man who gave strong promise of being an ornament to his profession; his conduct in the action was highly honorable, and he *died nobly!*"

The enemy must have suffered very much in killed and wounded, both among their shipping and on shore. Three of their gun boats were sunk in the harbour, several of them had their decks nearly cleared of men by our shot, and a number of shells burst in the town and batteries, which must have done

great execution. The officers, seamen, and marines of the squadron, behaved in the most gallant manner. The Neapolitans, in emulating the ardour of our seamen, answered my highest expectations. I cannot but notice the active exertions and officer-like conduct of lieutenant Gordon, and the other lieutenants of the Constitution. Mr. *Haraden*, the master, gave me full satisfaction, as did all the officers and ship's company. I was much gratified by the conduct of captain Hall, and lieutenant Greenleaf, and the marines belonging to his company, in the management of six long twenty-six pounders on the spar deck, which I placed under his direction. Captain Decatur speaks in the highest terms of the conduct of lieutenant Thorn and midshipman M'Donough, of No. 4, as does captain Somers of midshipmen Ridgely and Miller, attached to No. 1. Annexed is a list of killed and wounded

"KILLED.

"Lieutenant James Decatur, gun boat No. 2.

WOUNDED.

1 Marine, frigate Constitution.
Captain Decatur,
1 Sergeant of Marines, } gun boat No. 4.
2 Seamen,
Lieutenant John Trippe,
1 Boatswain's Mate, } gun boat No. 6.
2 Marines,
2 Seamen, - - - No. 1.
2 Seamen, - - - - 2.
Total, one killed and thirteen wounded.

"August 5. We were at anchor with the squadron, about two leagues north from the city of Tripoli, the Argus in chase of a small vessel to the westward, which she soon came up with and brought within hail, She proved to be a French privateer of four guns, which put into Tripoli a few days since for water, and left it this morning. I prevailed on the captain, for a consideration, to return to Tripoli, for the purpose of landing fourteen very badly wounded Tripolitans, which I put on board his vessel, with a letter to the prime minister, leaving it at the option of the Bashaw to reciprocate this generous mode of conducting the war. The sending these unfortunate men on shore, to be taken care of by their friends, was an act of humanity on our part, which ought to make a proper impression on the minds of the Barbarians—but I doubt it. All hands were busily employed altering the rig of the three prizes, from latteen vessels to sloops, and preparing for a second attack. Observed one of the enemy's schooners and the brig, (two corsairs,) in the harbor, to be dismasted; was informed by the French captain, that the damage these vessels received in the action, had occasioned their masts being taken out.

"The 7th. The French privateer came out, and brought me a letter from the French consul, in which he observes, that our attack of the 3d instant, had disposed the Bashaw to accept of reasonable terms; and invited me to send a boat to the rocks with a flag of truce, which was declined, as the white flag was not hoisted at the Bashaw's castle.

"At 9, A. M. with a very light breeze from the eastward, and a strong current, which obliged the Constitution to remain at anchor, I made the signal for the light vessel to weigh, and the gun and bomb boats to cast off, and stand in shore towards the western batteries, the *prize* boats having been completely fitted for service; and the command of them given to lieutenant Crane, of the Vixen, Thorn, of the Enterprize, and Caldwell, of the Siren:—The whole advanced with sails and oars. The orders were for the bombs to take a position in a small bay to the westward of the city, where but few of the enemy's guns could be brought to bear on them, but from whence they could annoy the town with shells. The gun-boats, to silence a battery of seven heavy guns which guarded the approach to that position, and the brigs and schooners to support them, in case the enemy's flotilla should venture out. At half past 1, P. M. a breeze from north north east, I weighed with the Constitution, and stood in for the town, but the wind being on shore, made it imprudent to engage the batteries with the ship, as, in case of a mast being shot away, the loss of the vessel would probably ensue, unless a change of wind should favor our getting off. At half past 2, P. M. the bombs and gun-boats having gained their stations, the signal was made for them to attack the town and batteries. Our bombs immediately commenced throwing shells, and the gun-boats opened a sharp and well directed fire on the town and batteries within point blank shot, which was warmly returned by the enemy. The seven gun battery, in less than two hours, was silenced, except one gun. I presume the others were dismounted by our shot, as the walls were almost totally destroyed. At a quarter past 3, P. M. a ship hove in sight to the northward, standing for the town; made the Argus signal to chase. At half past three, one of our prize gun boats was blown up by a hot shot from the enemy, which passed through her magazine. She had on board twenty-eight officers, seamen, and marines, ten of whom were killed, and six wounded. Among the killed, was James R. Caldwell, first lieutenant of the Siren, and midshipman John S. Dorsey, both excellent officers. Midshipman Spence and eleven men were taken up unhurt. Captain Decatur, whose division this boat belonged to, and was near at the time she blew up, reports to me, that Mr. Spence was superintending the loading of the gun at that moment, and notwithstanding the boat was sinking, he, and the brave fellows surviving, finished charging, gave three cheers as the boat

went from under them, and swam to the nearest boats, where they assisted during the remainder of the action.*

"The enemy's gun boats and gallies (fifteen in number,) were all in motion, and appeared to meditate an attack on our boats. The Constitution, Nautilus, and Enterprize, were to windward, ready at every hazard, to cut them off from the harbour, if they should venture down; while the Siren and Vixen, were near our boats to support and cover any of them that might be disabled. The enemy thought it most prudent, however, to retire to their snug retreat behind the rocks, after firing a few shot. Our boats, in two divisions, under captain Somers and Decatur, were well conducted, as were our bomb vessels, by lieutenants Dent and Robinson. The town must

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* There is a circumstance with regard to midshipman Spence, not known, it is presumed, to commodore Preble, at the time he wrote his despatch.—The commodore states that Mr. Spence was superintending the loading of the gun, at the time the boat was blown up by a hot shot from the enemy—that "notwithstanding the boat was sinking, he, and the brave fellows surviving, finished charging, gave three cheers as the boat went from under them, and *swam* to the nearest boats." Midshipman Spence did *not know how to swim*—fortunately he got hold of an oar, by which he kept himself from sinking.—Another circumstance—the gun was actually *fired*, and then the three cheers were given. These facts appear to us to increase essentially the merit of Mr. Spence's conduct on the occasion.

Captain Decatur, in his official communication to commodore Preble, written on the day of the action, stated: "It is with regret I have to inform you of the loss of No. 8, which was blown up by a hot shot from the enemy. After the smoke cleared off, I found all abaft the mast was under water; the gun and bow being the only part out. Mr. Robert T. Spence, midshipman, was the officer superintending the gun, who, at the time of the explosion, was in the act of loading her: after which accident, he, and the brave fellows left, completed the loading of the gun before she sunk, and then swam to the nearest boat, where they assisted during the engagement." From this letter it would seem that the fact of the gun having been actually fired, and that of midshipman Spence being ignorant of the art of swimming, was unknown to captain Decatur also, on the day of action. He soon after, however, became apprized of these circumstances; and so highly did he think of Mr. Spence's conduct, that he warmly urged his promotion; and commodore Preble accordingly conferred upon him the appointment of an acting lieutenant, which was sanctioned and confirmed by the government.

The father of this young officer, Keith Spence, esq. a gentleman justly held in high estimation for his probity, intelligence and nice sense of honor, was then a prisoner in Tripoli. He was the bosom friend, the mentor, of Decatur. Drawing invaluable lessons of wisdom from the precepts of the father, Decatur, by his example, produced a spirit of emulation in the son, to which may, in a great degree, be attributed that utter disregard of self, that heroic devotion to the honor of the service, manifested by him on this occasion.

Mr. Edmund P. Kennedy (now a master commandant in the navy,) then gunner's mate of the brig Siren, was captain of the gun on this occasion. His gallant conduct attracted the attention of commodore Preble, who made him an acting midshipman; and Mr. Secretary Smith, upon being informed of the circumstances, sent him a warrant as midshipman.

have suffered much from this attack, and their batteries, particularly the seven gun battery, must have lost many men. At half past 5, P. M. the wind began to freshen from the N. N. E. I made the signal for the bomb and gun boats to retire from action, and for the vessels to which they were attached to take them in tow. The Argus made signal that the strange sail was a friend.

"In this day's action No. 4 had a twenty-four pound shot through her hull. No. 6, her latteen yard shot away: No. 8, a twenty-four pound shot through her hull, which killed two men. Some of the other boats had their rigging and sails considerably cut. We threw forty-eight shells, and about five hundred twenty-four pound shot, into the town and batteries. All the officers and men engaged in the action behaved with the utmost intrepidity. At half-past 6, all the boats were in tow, and the squadron standing to the N. W. At 8, the John Adams, captain Chauncey, from the United States, joined company. At 9, the squadron anchored, Tripoli, bearing S. E. five miles distant. Gun boat No. 3, was this day commanded by Mr. Brooks, master of the Argus; and No. 6, by lieutenant Wadsworth, of the Constitution. Annexed is a return of our loss in this attack.

"KILLED,

1 Lieutenant,	in gun boat No. 5.
1 Midshipman,	
1 Boatswain's mate,	
1 Quarter gunner,	
1 Serjeant marines, and	
5 Seamen,	
2 Seamen,	in gun boat No. 8.
12 Total.	

6 Seamen wounded, two of which mortally—on board of gun boat No. 9.

"Captain Chauncey brought me the first positive information that any reinforcement was to be expected. By him I was honoured with your letters of the 7th, 22d, and 31st of May, informing me that four frigates were coming out, under the command of commodore Barron, who is to supercede me in the command of our naval forces in these seas, at the same time, approbating my conduct, and conveying to me the thanks of the President for my services. I beg you sir, to accept my warmest thanks for the very obliging language in which you have made these communications, and to assure the President that to merit the applause of my country is my only aim, and to receive it the highest gratification it can bestow.

"Captain Chauncey informed me that the frigates might be expected every moment, as they were to sail from Hampton Roads four days after him; in consequence of this information,

and as I could not bring the John Adams into action, she having left all her gun carriages for her gun deck, except eight, on board the Congress and Constellation, a day or two previous to her sailing, I determined to wait a few days for the arrival of commodore Barron, before another attack, when if he should arrive, the fate of Tripoli must be decided in a few hours, and the Bashaw completely humbled. Had the John Adams brought out her gun carriages, I should not have waited a moment, and can have no doubt but the next attack would make the arrival of more ships unnecessary for the termination of the Tripoline war. I gave captain Chauncey orders to remain on the station that we might be benefited by the assistance of his boats and men, as nearly half the crews of the Constitution, brigs and schooners, are taken out to man the bombs, guns, and ship's boats when prepared for an attack.

"August the 9th. We were engaged supplying the bombs, and gun boats with ammunition and stores, and getting every thing ready for an attack, the moment commodore Barron should arrive and make the signal. I cannot but regret that our naval establishment is so limited, as to deprive me of the means and glory, of completely subduing the haughty tyrant of Tripoli, while in the chief command.—It will, however, afford me satisfaction to give my successor all the assistance in my power.

"At 3 P. M. I went on bord the Argus, for the purpose of reconnoitering the harbor of Tripoli. We stood in towards the town, and were near being sunk by the enemy's fire. One of their heaviest shot, which struck about three feet short of the water line, raked the copper off her bottom under water, and cut the plank half through. In the evening the wind blew strong from the N. N. E. the squadron weighed and kept under sail all night. The day following we anchored, Tripoli bearing S. S. W. six miles distant. At 10, A. M. the French consul hoisted a white flag under the national colors, which was a signal that the Bashaw was ready to treat. I sent a boat into the harbor, and took this opportunity to forward captain Bainbridge and his officers letters from their friends; the boat was not allowed to land, but returned in the afternoon, and brought me a letter advising, that the Bashaw was ready to receive five hundred dollars for the ransom of each of the prisoners, and terminate the war without any consideration for peace or tribute. This is 350,000 dollars less than was demanded previous to the action of the 3d inst.

"These terms, I did not hesitate to reject, as I was informed by captain Chauncey that it was the expectation of our government, on the arrival of four frigates, to obtain the release of the officers and crew of the Philadelphia without ransom, and dictate the terms of peace. I enclose you copies of our correspondence, which will convince you that our attacks have not been made without effect.

"16th. No news of the frigates, and but short allowance of water in the squadron. I sent the Enterprize to Malta, with orders to the agent there, to hire transports, and send off immediately a supply of fresh water, provision, and other stores which have become necessary, as some of the squadron have now been five months in sight of this dismal coast, without once visiting a friendly port—those vessels, as well as the gun boats, receive their supply of water and provisions from the Constitution.

"18th. As the season is fast approaching when we may expect bad weather, and no news of the frigates, I have determined to make an attack, as soon as the wind proves favorable. At 8, P. M. I sent captains Decatur and Chauncey, in two small boats, to reconnoitre the harbor, and observe the disposition of the enemy's flotilla at night. They returned at midnight, and reported that they were anchored in a line abreast from the Mole to the Bashaw's castle, with their heads to the eastward, for the defence of the inner harbor. At day-light the wind shifted suddenly from N. E. to N. N. W. and brought a heavy sea on shore, which obliged us, for greater safety, to weigh and stand to sea.

"20th. We had gained an offing of nine or ten leagues, still blowing hard. We met with the ketch Intrepid, from Syracuse, with a cargo of fresh water, stock, and vegetables for the squadron.

"22d. Fell in with a ship from Malta, with water and live stock, for the squadron. These cargoes arrived very opportunely, as we have for some time past, been on short allowance of water. The wind having moderated, we stood in, and anchored with the squadron six miles N. E. by N. from Tripoli—all the boats engaged in discharging the transports. The Enterprize arrived from Malta, but brought no intelligence of the long expected frigates.

"24th. With a light breeze from the N. E. we stood in with the squadron prepared for action, intending to attack the town and shipping in the night. At 8, in the evening anchored about two and a half miles from the batteries. At midnight, it fell calm. I sent the bomb vessels under the protection of the gun boats, to bombard the town; the boats of the squadron were employed in towing them in. At 2, A. M. the bombardment commenced and continued until day-light,* but with

*During this attack an accident occurred which was very near proving fatal to captain Bainbridge.

A thirty-six pound ball, from commodore Preble's squadron passed through the wall in the apartment of the prison where captain Bainbridge was sleeping, struck against the opposite wall, rebounded, and in its fall, took part of the bed clothes from him and passed within a few inches of his body. In its passage through the first wall, it knocked out a cart load of stones and mortar, under which captain Bainbridge was buried until the officers relieved him. He was considerably bruised by the rubbish, and received a cut, in the right ancle, which occasioned a lameness for months.

what effect it is uncertain. At 6, all the boats joined us, and were taken in tow by the squadron, which was under way and standing off. At 7, anchored four miles N. of the town. The weather for several days proved unfavorable for approaching the shore.

"28th. We were favored with a pleasant breeze from the eastward. At 3, P. M. we weighed and stood in for Tripoli. At 5, anchored the Constitution two miles N. by E. from fort English, and two and a half from the Bashaw's castle; the light vessels ordered to keep under weigh. We were employed until 8, P. M. in making arrangements for attacking the town—a number of the officers and many of the seamen, of the Constitution, being attached to the bomb, gun, and ship's boats, Captain Chauncey, with several of his officers and about seventy seamen and marines, volunteered their services on board the Constitution. All the boats in the squadron were officered and manned, and attached to the several gun boats; the two bomb vessels could not be brought into action, as one was leaky, and the mortar bed of the other had given way. The John Adams, Scourge, transports and bombs, were anchored seven miles to the northward of the town. Lieutenant commandant Dent, of the Scourge, came on board the Constitution and took charge on the quarter deck; lieutenant Izard, of the Scourge, also joined me. Lieutenant Gordon commands gun boat No. 2, and lieutenant Lawrence, of the Enterprize, No. 5.—these are the only changes.

"At half past 1, A. M. the gun boats in two divisions led by captains Decatur and Somers, were ordered to advance and take their stations close to the rocks, at the entrance of the harbor, within grape shot distance of the Bashaw's castle. The Siren, Argus, Vixen, Nautilus, Enterprize, and boats of the squadron, accompanied them. At 3, A. M. the boats anchored with springs on, within pistol shot of the rocks, and commenced a brisk firing, on the shipping, town, batteries and Bashaw's castle, which was warmly returned, but not as well directed. The ship's boats remained with the gun boats, to assist in boarding the enemy's flotilla, if it should venture out, while the brigs and schooners kept under weigh, ready for the same service, or for annoying the enemy as occasion might present. At day-light, presuming that the gun boats had nearly expended their ammunition, we weighed with the Constitution and stood in for the harbor. Fort English, the Bashaw's castle, crown and mole batteries, kept up a heavy fire on us, as we advanced. At half past 5, I made the signal for the gun boats to retire from action, and for the brigs and schooners to take them in tow. We were then within two cables length of the rocks, and commenced a heavy fire of round and grape, on thirteen of the enemy's gun boats and gallies, which were in pretty close action with our boats. We sunk one of the ene-

my's boats: at the same time, two more, disabled, ran on shore to avoid sinking; the remainder immediately retreated.

"We continued running in, until we were within musket shot of the crown and Mole batteries, when we brought to and fired upwards of three hundred round shot, besides grape and canister, into the town, Bashaw's castle, and batteries. We silenced the castle and two of the batteries for some time. At a quarter past 6, the gun-boats, being all out of shot and in tow, I hauled off, after having been three quarters of an hour in close action. The gun-boats fired upwards of four hundred round shot, besides grape and canister, with good effect. A large Tunisian galliot was sunk in the mole—a Spanish ship which had entered with an ambassador from the Grand Seignior received considerable damage. The Tripoline gallies and gun-boats lost many men, and were much cut.

"The Bashaw's castle and town have suffered very much, as have their crown and mole batteries. Captains Decatur and Somers conducted their divisions with their usual firmness and address, and were well supported by the officers and men attached to them. The brigs and schooners were also well conducted during the action, and fired a number of shot at the enemy; but their guns are too light to do much execution. They suffered considerably in their sails and rigging.

"The officers andcrew of the Constitutionb ehaved well. I cannot, in justice to captain Chauncey, omit noticing the very able assistance I received from him on the quarter deck of the Constitution, during the whole of the action. The damage which we have received is principally above the hull. Three lower shrouds, two spring stays, two topmast back stays, trusses, chains, and lifts of the main yard shot away.

"Our sails had several cannon shot through them, and were, besides, considerably cut by grape—much of our running rigging cut to pieces, one of our anchor-stocks and our larboard cable shot away, and a number of grape shot were sticking in different parts of the hull; but not a man hurt! A boat belonging to the John Adams, with a master's mate (Mr. Creighton) and eight men, was sunk by a double headed shot from the batteries, while in tow of the Nautilus, which killed three men and badly wounded one, who, with Mr. Creighton and the other four, were picked up by one of our boats. The only damage our gun-boat sustained, was in their rigging and sails, which were considerably cut with the enemy's round and grape shot.

"At 11, A. M. we anchored with the squadron, five miles north east by north from Tripoli, and repaired the damage received in the action.

"29th and 30th. Preparing the bomb vessels for service, supplying the gun-boats with ammunition, &c.

"31st. A vessel arrived from Malta, with provisions and stores—brought no news of commodore Barron or the frigates. We discharged this vessel's cargo, and ordered her to return.

"Sept. 1st and 2d. The bomb vessels having been repaired and ready for service, lieutenants Dent and Robinson resumed the command of them. Lieutenant Morris, of the Argus, took command of No. 3; and lieutenant Trippe, having nearly recovered from his wounds, resumed the command of No. 6, which he so gallantly conducted the 3d ultimo. Captain Chauncey, with several young gentlemen and sixty men from the John Adams, volunteered on board the Constitution. At 4, P. M. made the signal to weigh—kept under sail all night. At 11, P. M. a general signal to prepare for battle—a Spanish polacre in ballast, came out of Tripoli, with an ambassador of the grand Seignior on board, who had been sent from Constantinople to Tripoli to confirm the Bashaw in his title. This ceremony takes place in all the Barbary regencies, every five years. The captain of this vessel informed us, that our shot and shells had made great havoc and destruction in the city, and among the shipping, and that a vast number of people have been killed: that three of the boats which were sunk by our shot, in the actions of the 3d and 28th ultimo, had been got up, repaired, and fitted for service.

"3d. At 2 P. M. Tripoli bore S. S. W. two and a half miles distant, wind E. by N. At half past 2 the signals were made for the gun boats to cast off, advance, and attack the enemy's gallies and gun boats, which were all under way in the eastern part of the harbor, whither they had for some time been working up against the wind. This was certainly a judicious movement of theirs, as it precluded the possibility of our boats going down to attack the town, without leaving the enemy's flotilla in their rear, and directly to windward. I accordingly ordered the bomb vessels to run down within proper distance of the town, and bombard it, while our gun boats were to engage the enemy's gallies and boats to windward. At half past 3 P. M. our bombs having gained the station to which they were directed, anchored and commenced throwing shells into the city. At the same time, our gun boats opened a brisk fire on the gallies, and within point blank shot, which was warmly returned by them and fort English, and by a new battery a little to the westward; but as soon as our boats arrived within good musket shot of their gallies and boats, they gave way, and retreated to the shore within the rocks, and under cover of musketry from fort English. They were followed by our boats, and by the Siren, Argus, Vixen, Nautilus, and Enterprize, as far as the reefs would permit them to go with prudence. The action was then divided. One division of our boats, with the brigs and schooners, attacked fort English, whilst the other was engaged with the enemy's gallies and boats. The Bashaw's castle, the mole, crown, and several other batteries, kept up a constant fire on our bomb vessels, which were well conducted, and threw shells briskly into the town but from their situa-

tion they were very much exposed, and in great danger of being sunk. I accordingly ran within them with the Constitution, to draw off the enemy's attention, and amuse them whilst the bombardment was kept up. We brought to within reach of grape, and fired eleven broadsides into the Bashaw's castle, town, and batteries, in a situation where more than seventy guns could bear upon us. One of their batteries was silenced. The town, castle, and other batteries considerably damaged. By this time it was half past 4 o'clock. The wind was increasing, and inclining rapidly to the northward. I made the signal for the boats to retire from action, and for the brigs and schooners to take them in tow, and soon after hauled off with the Constitution to repair damages. Our main topsail was totally disabled by a shell from the batteries, which cut away the leach rope, and several cloths of the sail. Another shell went through the fore topsail, and one through the jib. All our sails considerably cut; two topmast back stays shot away, main sheets, fore tacks, lifts, braces, bowlines, and the running rigging generally very much cut, but no shot in our hull, excepting a few grape. Our gun boats were an hour and fifteen minutes in action. They disabled several of the enemy's gallies and boats, and considerably damaged fort English. Most of our boats received damage in their rigging and sails. The bomb vessel No. 1, commanded by lieutenant Robinson, was disabled; every shroud was shot away, the bed of the mortar rendered useless, and the vessel near sinking. She was, however, towed off.

"About fifty shells were thrown into the town, and our boats fired four hundred round shot, besides grape and canister. They were led into action by captains Decatur and Somers, with their usual gallantry. The brigs and schooners were handsomely conducted, and fired many shot with effect at fort English, which they were near enough to reach with their carronades. They suffered considerably in their rigging, and the Argus received a thirty-two pound shot in the hull forward, which cut off a bower cable as it entered. We kept under way until 11, P. M. when we anchored, Tripoli bearing S. S. W. three leagues.

"I again acknowledge with pleasure, the services of an able and active officer in captain Chauncey, serving on the quarter deck of the Constitution.

"At sunrise, I made the signal for the squadron to prepare for action. The carpenters were sent on board the bombs to repair damages, and our boats employed in supplying the bombs and gun boats with ammunition, and to replace the expenditures.

"Desirous of annoying the enemy by all the means in my power, I directed to be put in execution, a long contemplated plan of sending a fire ship, or infernal, into the harbor of Tripoli, in the night, for the purpose of endeavoring to destroy the

enemy's shipping, and shatter the Bashaw's castle and town. Captain Somers of the Nautilus, having volunteered his services, had, for several days before this period, been directing the preparation of the ketch Intrepid, assisted by lieutenants Wadsworth and Israel. About one hundred barrels of powder and one hundred and fifty fixed shells, were apparently judiciously disposed of on board her. The fuzees leading to the magazine, where all the powder was deposited, were calculated to burn a quarter of an hour.

"September 4. The Intrepid being prepared for the intended service, captain Somers and lieutenant Wadsworth, made choice of two of the fastest rowing boats in the squadron, for bringing them out. After reaching their destination and firing the combustible materials, which were to communicate with the fuzees, captain Somers' boat was manned with four seamen from the Nautilus, and lieutenant Wadsworth's, with six from the Constitution. Lieutenant Israel accompanied them. At 8 in the evening, the Intrepid was under sail, and standing for the port, with a leading breeze from the eastward. The Argus, Vixen, and Nautilus, convoyed her as far as the rock. On entering the harbor several shot were fired at her from the batteries. In a few minutes after, when she had apparently nearly gained the intended place of destination, she suddenly exploded, without their having previously fired a room filled with splinters and other combustibles, which were intended to create a blaze in order to deter the enemy from boarding, whilst the fire was communicating to the fuzees, which led to the magazine. The effect of the explosion awed their batteries into profound silence—not a gun was afterwards fired for the night. The shrieks of the inhabitants informed us, that the town was thrown into the greatest terror and consternation, by the explosion of the magazine, and the bursting and falling of shells in all directions. The whole squadron waited with the utmost anxiety to learn the fate of the adventurers, from a signal previously agreed on in case of success—but waited in vain; no signs of their safety were to be observed. The Argus, Vixen, and Nautilus, hovered round the entrance of the port until sunrise, when they had a fair view of the whole harbor—not a vestige of the ketch or boats was to be seen. One of the enemy's largest gun boats was missing, and three others were seen very much shattered and damaged, which the enemy were hauling on shore.

"From these circumstances I am led to believe, that those boats were detached from the enemy's flotilla to intercept the ketch, and without suspecting her to be a fire ship, the missing boat had suddenly boarded her, when the gallant Somers and heroes of his party, observing the other three boats surrounding them, and no prospect of escape, determined at once to prefer *death* and the destruction of the enemy, to captivity and torturing slavery, put a match to the train leading directly to the

magazine, which at once blew the whole into the air, and terminated their existence. My conjectures respecting this affair are founded on a resolution, which captain Somers and lieutenants Wadsworth and Israel, had formed, neither to be taken by the enemy or suffer him to get possession of the powder on board the Intrepid. They expected to enter the harbor without discovery, but had declared if they should be disappointed, and the enemy should board them, before they reached the point of destination, in such force as to leave them no hopes of a safe retreat, that they would put a match to the magazine, and blow themselves and their enemies up together—determined, as there was no exchange of prisoners, that their country should never pay ransom for them, nor the enemy receive a supply of powder through their means.* The disappear-

* There can scarcely be a doubt of the correctness of commodore Preble's conjecture as to these gallant spirits having voluntarily sacrificed themselves. Somers, Wadsworth, and Israel, were distinguished for their heroic firmness, and modesty, and would never have expressed an intention to devote themselves, unless it had been their determined purpose to do so—and they had nerve to execute any honorable purpose.

Having expressed their determination, and the state of things having arisen in which they had designed to execute it, neither would have consented to live under the dishonor which their own lofty feelings would have attached to a failure.

It may not be considered out of place to mention here an affair in which Somers was once engaged, as it will tend to illustrate his character. He and the late commodore Decatur were boys together: being kindred spirits, they soon became greatly attached. Their friendship increased till it became romantic—either, it is believed, would cheerfully have made any sacrifice, except that of honor, for the other.

They were in the habit of speaking freely to each other, and sometimes would unguardedly do so in the presence of others, who were ignorant of the great intimacy existing between them. On one occasion, in reply to some light remark of Somers upon Decatur's dress, the word "fool" was, in the most perfect good humor, applied by Decatur, in the presence of five or six young officers, who inferred from Somer's not only not noticing it, but continuing on the most friendly terms with Decatur, that he was deficient in bravery. Perfectly unconcious of any offence having been offered, Somers was extremely surprized, two days after this occurrence, to find that all those young officers declined his invitation to drink wine with him. He immediately requested an explanation, and they very candidly told him that they had received such impressions from his silence under the gross affront offered him as they conceived, by Decatur, that they could not, consistently with their own honor, take wine with him until that affair should be cleared up to their satisfaction. Somers instantly went in search of Decatur, and told him the circumstances in which he was placed—the latter offered to give a dinner to the whole party, and assure each of the gentlemen that he had never entertained the most distant idea of offering an insult to Somers. Somers took this ground:—"They have allowed themselves to suspect my courage—I must convince them that they are mistaken; and my only course is to fight them all." No argument could induce him to depart from this course—challenges were written, and Decatur delivered them as Somer's second; and the whole were invited

ance of one of the enemy's boats and the shattered condition of three others, confirm me in my opinion, that they were an advance guard, detached from the main body of the flotilla on discovering the approach of the Intrepid, and that they attempted to board her, before she reached her point of destination, otherwise the whole of their shipping must have suffered, and perhaps would have been totally destroyed. That she was blown up before she had gained her station is certain, by which the service has lost three very gallant officers. Captain Somers, and lieutenants Wadsworth and Israel, were officers of conspicuous bravery, talents and merit. They had uniformly distinguished themselves in the several actions; were beloved and lamented by the whole squadron.

"September 5. We were employed in supplying the gun boats with ammunition &c. and repairing the bomb vessels for another attack, but the wind shifting to the N. N. E. a heavy swell setting on shore, and other indications of bad weather, determined me for greater safety to take the guns, mortars, shot and shells out of the boats into the Constitution and John Adams, which was accordingly done. The weather continuing to wear a threatening aspect until the 7th, and our ammunition being reduced to a quantity not more than sufficient for three vessels to keep up the blockade; no intelligence of the expected reinforcement, and the season so far advanced as to render it imprudent to hazard the gun boats any longer on the station, I gave orders for the John Adams, Siren, Nautilus, Enterprize, and Scourge, to take the bombs and gun boats in tow and proceed to Syracuse, with them; the Argus and Vixen to remain with the Constitution to keep up the blockade.

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to meet him at different hours on the same day. The challenges were all accepted, and the parties met.

The shot with the first officer resulted in a ball in Somer's right arm.

The second officer then made his appearance.—Decatur was anxious to take the place of Somers, but the latter would not permit him; neither would he, although disabled, agree to postpone the fight for one moment.—The shot with this officer resulted in a ball in Somer's thigh, which occasioned much loss of blood.

The third officer came up—again Decatur urged a postponement; or that he might take Somer's place and fight for him—but all in vain. At length Somers fell from loss of blood; but soon so far recovered as to be able to sit up; and in that posture insisted on fighting. By this time his right arm became so much enfeebled that he could not hold his pistol firmly—Decatur then, in order to keep Somer's body and pistol arm steady, sat down on his left side, and placed his right arm around him, and his hand under his right elbow—thus sustained, Somers fired, and wounded his adversary.

All the officers were thoroughly convinced that a more determined man never lived. They all very handsomely made suitable acknowledgements, and became his nurses until he recovered.—It is due to the occasion to remark that all the parties were very *young men*, tenacious, probably to an extreme, upon all points in any degree involving personal honor.

"September 10th. The United States' ship President, commodore Barron, and Constellation, captain Campbell, hove in sight, and soon joined company, when the command of the squadron was surrendered to commodore Barron, with the usual ceremony. I continued in company with the squadron until the 12th, when three strange ships came in sight, standing direct for Tripoli. Chase was given, and two of them boarded and taken possession of by the Constitution, the President in company, about four leagues from Tripoli, but not more than five miles from the land—while the Constellation and Argus were in chase of the third. The two boarded by the Constitution, were loaded with about 16,000 bushels of wheat. Tripoli is in a state of starvation and there can be no doubt but those cargoes were meant as a supply and relief to our enemies.

"Considering the season too far advanced, and weather too uncertain to hazard any further operations against Tripoli at present, commodore Barron determined that the prizes should be sent to Malta, under convoy of the Constitution, it being necessary she should go into port to be re-caulked and refitted. I notified commodore Barron, that it was my wish to return to the United States in the frigate John Adams, captain Chauncey—this readily, and in the handsomest manner met his acquiescence. I shall accordingly return in that ship.

"The service in this quarter cannot suffer from this arrangement, as captain Decatur is at present without a ship, and my return will immediately place him in the exercise of the duties attached to that commission which he has so gallantly earned, and his country generously bestowed. I shall feel a pleasure in leaving the Constitution under the command of that officer, whose enterprizing and manly conduct I have often witnessed, and whose merits eminently entitle him to so handsome a command.

"The other commanders merit the highest commendations, for their prompt obedience to orders on all occasions, and for the zeal, spirit, and judgment which they displayed in the several attacks on the enemy's shipping and batteries, as well as for the general good order and discipline, at all times observed on board their respective vessels. The officers of the squadron have conducted themselves in the most gallant and handsome manner; and the conduct of the different ship's companies, has merited my warmest approbation, since I have had the honor to command them.

"It affords me much satisfaction to observe, that we have neither had a duel nor a court martial in the squadron since we left the United States.

"I most sincerely regret the loss of our gallant countrymen, who have sacrificed their lives to the honor of the service, and that it has not been in my power, consistent with the interest and expectation of our country, to liberate captain

Bainbridge and the unfortunate officers and crew of the Philadelphia. Be assured, sir, I have incessantly endeavored to effect this desirable object. I have no doubt but my successor will be able to effect their release, and establish peace on such terms as will reflect the highest honor on himself and his country.

" September 17th. Arrived at Malta with the two detained Greek vessels. We experienced very bad weather, but had the satisfaction to learn that the bombs and gun boats had arrived safe at Syracuse, the 15th instant, without accident. Each of the Tripoline gun boats, which we have captured, has two brass howitzers abaft, and a handsome copper gun in the bow, which carries a twenty-nine pound shot, is eleven and a half feet long, and weighs six thousand six hundred pounds.

" I send you a plan of the town and harbor of Tripoli, with the disposition of our squadron and the enemy's flotilla, at the time of the several attacks, with sundry other papers.

" I have the honor to be, with the highest respect,

" Sir, your most obedient,

" (Signed) "EDWARD PREBLE."

Honorable R. SMITH, Secretary of the Navy.

Names of the officers, seamen and marines, killed and wounded, on board the squadron of the United States, under command of commodore Edward Preble, in the several attacks, made on the city and harbor of Tripoli, in Barbary, in July, August, and September, 1804, *with the names of the vessels they belonged to.*

KILLED.

July 7—Siren.	William Williams,	seaman.
August 3—Nautilus,	James Decatur,	lieutenant.
August 7—Siren.	James R. Caldwell,	lieutenant.
	John S. Dorsey,	midshipman.
	William Davis,	boatswain's mate.
	James Farrell,	quarter gunner.
	John Spear,	quarter master.
	John Robinson,	seamen.
	John Holmes,	seamen.
	George Irving,	seamen.
	Jonathan Meredith,	sergeant marines.
	Nathl. Holmes,	private. do.
August 17—Vixen.	John Brown,	seaman.
	John Jones,	do.
Aug. 28—John Adams.	Thos. Macdonough,	seamen.
	Wm. Fountain,	seamen.
	John Bartlett,	seamen.

Sep. 4—Nautilus.	Richard Somers,	captain.
	James Simms,	seamen.
	Thos. Tompline,	
	James Harris,	
	William Keith,	
Sep. 4—Constitution.	Henry Wadsworth,	lieutenant.
	Joseph Israel,	lieutenant.
	William Harrison,	seamen.
	Robert Clark,	
	Hugh McCormick,	
	Jacob Williams,	
	Peter Penner,	
	Isaac W. Downes.	

Total 30 killed.

WOUNDED.

July 7—Siren.	William Cooper,	
	Thomas Riveness,	
	Samuel Henry,	mortally, since dead.
Aug. 3—Enterprize.	Stephen Decatur, jr.	captain.
	Thomas James,	seamen.
	Daniel Frazer,	
	Sol. Wren.	
August 3—Vixen.	John Trippe,	lieutenant.
	C. Allen,	boatswain's mate.
	M. Cannon,	marines.
	J. Ryan,	
Aug. 3—Constitution.	Charles Young,	
August 3—Nautilus.	Samuel Rodney,	seaman.
	A Neapolitan,	
	Two seamen.	
August 7—Siren.	Francis Rodgers, mortally, since dead.	seamen.
	James Desney,	
	Anth'y. Currin,	
	Thos. Deven,	
	William Mitchell,	
	John Lamott,	
	Antonio Morrell,	
	Isaac Happs.	

Total wounded 24—Total killed and wounded 54.

Force of the Tripoline Batteries, &c.

Fort English, 7 guns—Fort America, so called from its having been built by the American prisoners 7—Palace 10 —between the Palace and mole head 14—Molehead and Crown

battery, 19--Fort Way, 11—Two small batteries between Fort Way and Malta battery, 9—Battery with arched embrazures, 3—Western battery without the city walls, called the Vixen battery from having fired the first shot at that vessel, 7—Total 115 guns, defended by 25,000 Arabs—besides 19 gun boats, 2 gallies, 2 schooners, of 8 guns each, and a brig of 10 guns.

On commodore Preble's retiring from the command of the squadron, the officers addressed to him the following letter:

"*To Edward Preble, esq. late commander in chief of the American forces in the Mediterranean.*

"SYRACUSE, November 4, 1804.

"We the undersigned, officers of the squadron late under your command, cannot, in justice, suffer you to depart without giving you some small testimony of the very high estimation in which we hold you as an officer and commander. It is under these impressions, Sir, that we beg leave to assure you, that your having been superseded in a command in which you have acquired so much honor to yourself and country, is, by us, deeply regretted, notwithstanding we feel assured that the measure was dictated by necessity.

"As you are about to return to your native country, we all join most cordially in wishing you a pleasant passage; and sincerely hope, that our countrymen may generously bestow on you that *meed*, which your important services so richly deserve; and believe us sincere in saying, that we shall largely participate in any future event, that may add to your fame or happiness.

"We have the honor to be, with the highest respect and esteem, your obedient servants,

Stephen Decatur, jun. captain of the frigate Congress.
Charles Stewart, master and commander, brig Siren.
Isaac Hull, master and commander, brig Argus.
John Smith, master and commander, brig Vixen.
Isaac Chauncey, master and com. frigate John Adams.
John H. Dent, lieut. commandant, schooner Nautilus.
Thomas Robinson, lieut. com. schooner Enterprize.
Charles Gordon, lieutenant.
Joseph Tarbell, lieutenant.
Samuel Elbert, lieutenant.
Charles Morris, lieutenant.
Nathaniel Haraden, sailing master.
Hethcote I. Reed, lieutenant.
Daniel S. Dexter, lieutenant.
John Hall, captain of marines.
Robert Greenleaf, lieutenant of marines.
James Wells, surgeon.

N. Morris, purser.
P. Leonard, chaplain.
Edward Bennett, lieutenant.
John B. Nicholson, lieutenant.
Marmaduke Dove, master.
James Lawrence, lieutenant.
Joseph Bainbridge, lieutenant.
J. Thorn, lieutenant.
Thomas Macdonough, lieutenant.
Seth Carter, master.
Lewis Heerman, surgeon.
Michael B. Carroll, lieutenant.
Joseph I. Maxwell, lieutenant.
William Burrows, lieutenant.
Robert T. Spence, lieutenant.
Samuel R. Marshall, surgeon.
Sybrant Van Schaick, lieutenant.
John Johnson, lieutenant of marines.
T. Winn, purser.
M. T. Weems, surgeon.
John W. Dorsey, surgeon.
John Darby, purser.
Larkin Griffin, surgeon.
John Trippe, lieutenant.
William M. Crane, lieutenant
Richard Butler, master.
I. Graham, surgeon.
G. W. Reed, lieutenant.
Charles G. Ridgely lieutenant.
Stephen Cassin, master.
James Tootell, purser.
G. R. Jacques, surgeon.
Ralph Izard, lieutenant.
J. M. Haswell, lieutenant.
G. Marcellin, lieutenant.
I. Green, purser.

Commodore Preble replied to this letter as follows:

"To captains Decatur, Stewart, Hull, Chauncey, Smith, lieutenants commandant Dent and Robinson, and the other officers late under my command.

Gentlemen—I have this day been honored with your esteemed favor of the 4th instant, and as I have been in the highest degree gratified by the support I have received from you, in a difficult and dangerous service, so am I equally flattered by your approbation of my conduct as an officer and commander of the squadron; and be assured, that I should always consider my reputation as an officer secure, while my

views were seconded by that talent and intrepidity for which you stand so eminently distinguished.

"As it respects my being superseded, I can only say, that I could not have been more gratified than being allowed to command you until the present war was brought to a conclusion; but *rank* must be attended to, and where a measure is impelled by necessity, it becomes the duty of an officer to submit with cheerfulness. This I do, convinced as I am, that you will serve your country under my successor with the same ardour as heretofore.

"There can be no question but your country will be gratefully impressed by your exertions; and be assured, that I reciprocate with sincerity, your kind wishes for my future fame and happiness.

"I have the honor to be, gentlemen,
"With the highest respect,
"Your most obedient,
(Signed) "EDWARD PREBLE."

SYRACUSE, 6th November, 1804.

Having surrendered the command of the squadron to commodore Barron, (10th September,) commodore Preble sailed on the 14th for Malta, where he arrived on the 16th: thence he proceeded to Syracuse, in the Argus, where he arrived on the 24th, and there found captain Decatur, who, with the concurrence of commodore Barron, he ordered to Malta to take command of the Constitution. Having settled his accounts at Syracuse, Malta, Messina, and Palermo, he sailed from the latter place for Naples, on the 2d December, in the John Adams, (which vessel he had joined on the 29th October,) for the purpose of obtaining on loan or on hire, additional gun boats and mortar vessels, preparatory to the intended attack on Tripoli by commodore Barron, early in 1805. Failing in his efforts to obtain additional gun boats, he sailed from Naples on the 23d December, for the United States, touched at Gibraltar and Tangier, arrived at New-York on the 26th February, 1805, and at Washington on the 4th March, where he was received by the President, with that distinguished respect, to which his able, faithful, and brilliant services eminently entitled him.

While at Washington he urged the expediency of sending a number of gun-boats, and two or more mortar vessels to the Mediterranean; and directions were immediately given for the equipment of nine gun-boats; and the commodore received orders to *build* two substantial bomb vessels. But finding it impracticable to build them as early as they were required, he was authorized to purchase two vesssels and fit them as bombs. Two were accordingly purchased, and completely equipped; the

one, the Vengeance, commanded by lieutenant Lewis, sailed on the 19th June; the other, the Spitfire, lieutenant M'Niell, sailed on the 23d.—The gun-boats sailed at different periods, and all except one arrived safe.

Commodore Preble, in return for the many civilities and acts of friendly attention paid to him and to his squadron, by Sir Alexader Ball, governor of Malta, asked, and readily obtained permission to purchase and send out to him, two fishing smacks, he having intimated to commodore Preble his wish to possess two, constructed agreeably to the New England models: two were accordingly purchased—the Traveller and the Ranger; they were placed under the command of Mr. Benjamin C. Prince, and Mr. John Allen, and sailed for Malta, on the 9th and 19th July, and were, it is understood, very acceptable to Sir Alexander, who paid for them at their original cost.

The act of the government, which superseded commodore Preble in the command of the Mediterranean squadron, was much censured at the time, by many of those who were personally acquainted with the commodore and knew his distinguished merits; and it seems to be due to his memory, that the circumstances and considerations which led to the adoption of this measure, should be distinctly stated. They will accordingly be found, in the letter of the honorable Mr. Smith, Secretary of the Navy, of which the following is a copy:

"*To Commodore Preble.*

NAVY DEPARTMENT, 22d May, 1804.

SIR—" Your despatches, bearing date 10th December, 1803, conveying to us the unpleasant information of the accidental loss of the Philadelphia, was not received till late in the month of March last. The President immediately determined to put in commission, and to send to the Mediterranean, a force which would be able, *beyond the possibility of a doubt, to coerce the enemy to a peace on terms compatible with our honor and our interest.* A due regard to our situation with Tripoli, *and precautionary considerations in relation to the other Barbary powers,* demanded that our forces in that quarter should be so far augmented, as to leave no doubt of our compelling the existing enemy to submit to our own terms, and of effectually checking any hostile dispositions that might be entertained towards us, by any of the other Barbary Powers."

"The following frigates have accordingly been put in commission and will soon proceed to the Mediterranean:

President,	commodore Samuel Barron,
Congress,	captain John Rodgers,
Essex,	captain James Barron,
Constellation,	captain H. G. Campbell.

"Your good sense will perceive, that we have thus been unavoidably constrained to supersede you in a command in which you have acquitted yourself, in a manner honorable to yourself, useful to your country, and in all respects perfectly satisfactory to us. The only captains in the country *junior* to yourself, are captains James Barron and H. G. Campbell; and *as the frigates cannot be commanded but by captains*, (agreeably to law,) we, of necessity, have been obliged to send out two gentlemen senior to yourself in commission."

"Be assured, sir, that no want of confidence in you, has been mingled with the considerations which have imposed upon us the necessity of this measure. You have fulfilled our *highest expectations;* and the President has given it, in an especial charge to me, to declare to you that he has the *highest confidence* in your activity, judgment, and valor. Through me, he desires to convey to you his thanks for the very important services which you have rendered to your country; and I beg you to be assured, sir, that it affords me great personal satisfaction, to be the medium of conveying to you his sentiments in relation to your conduct."

"I have the honor to be,
with great respect and esteem, Sir,
your most obedient servant,
(Signed) "R. SMITH."

At the time the above letter was written, Mr. Smith had just received intelligence of the destruction of the frigate Philadelphia, and in another letter of the same date, he observes to the commodore: "Your whole conduct has afforded us the highest satisfaction—Justly are you entitled to our warmest thanks—We congratulate you on the glorious enterprize achieved by captain Decatur. As a testimonial of our high sense of the brilliancy of this enterprize, we send the hero a captain's commission; knowing that you will feel great pleasure in presenting it to him, I herewith send it to you for that purpose."

Again, in a letter to the commodore of the 7th August, Mr. Smith observed, "we have already and repeatedly assured you, Sir, of our high and unqualified approbation of your measures and your conduct. Your successor will have conveyed to you, before this can reach you, our sentiments on these subjects."

Commodore Preble, feeling that it was due to his government and to himself, to make known the circumstances under which he was superseded, forwarded copies of Mr. Secretary Smith's letter of the 22d May, to a number of distinguished gentlemen residing in the different seaport towns of the Mediterranean; and, among others, to Sir Alexander Ball, from whom he received a letter, dated Malta, 30th August, 1804, of which the following is an extract:

"I have the honor to acknowledge the receipt of your Excellency's letter of the 21st instant, enclosing a copy of one from the Secretary of the Navy of the United States, informing you of the intention of the President to augment the naval force in the Mediterranean, which circumstance will put him under the necsssity of sending two captains senior to you. The very flattering expressions he makes use of, in observing that "you have acquitted yourself in a manner honorable to yourself, useful to your country, and in all respects perfectly satisfactory to us," must satisfy your mind, that nothing but imperious necessity could have caused your government to send an officer superior in rank to you.

"I have communicated this to all I know. They join me in regretting that an officer whose talents and professional abilities have been justly appreciated, and whose manners and conduct eminently fit him for so high a command should be removed from it." To this letter of Sir Alexander's, commodore Preble replied, on the 17th September, in a very appropriate communication, of which the following is an extract:

"I have the honor to acknowledge the receipt of your Excellency's letter of the 30th ultimo, and take this opportunity to assure you that the very polite and friendly attention I have been honored with, by the civil and military departments of the island of Malta, has made an indelible impression on my mind." To this letter Sir Alexander replied on the 20th September, as follows:

"I beg to repeat my congratulations on the services you have rendered your country, and the hair breadth escapes you have had in setting so distinguished an example to your countrymen, whose bravery and enterprize cannot fail to mark the character of a great and rising nation, in a manner that will be ultimately attended with the best and most important consequences to your country.

"If I were to offer my humble opinion, it would be, that you have done well in not purchasing a peace with money—a few brave men have been sacrificed; but they could not have fallen in a better cause: and I conceive it better to risk more lives than to submit to terms which might encourage the Barbary states to add fresh demands and insults."

It would, no doubt, have been agreeable to commodore Preble to have been continued in the command, until he should have completed a service, which he had so ably and gallantly commenced; and it would have been equally agreeable to the government to have avoided superseding him, if it could have been done consistently with the views then entertained as to the measures which would best subserve the public interest. It will be perceived that the determination to send out additional ships, was formed months before commodore Preble had attacked the batteries and gun-boats of Tripoli. His force, after the loss of the Philadelphia, was considered insuf-

ficient; and it was supposed that active offensive operations would be delayed until a reinforcement should be received.—Could the government have imagined, as was *afterwards* proved by commodore Preble, that one or two additional frigates would have enabled him to force the Bashaw of Tripoli into such terms as the honor and interest of the nation would have permitted it to accept; then he might, and no doubt would, have been continued in the command. The opinion universally prevailed, and the result proved its correctness, that the trust could not have been committed to abler or more faithful hands.

We shall not, we trust, be considered as having entered too minutely into the movements of commodore Preble, while in command of the Mediterranean squadron. We have been particular for the sake of presenting him as an example to others. Whoever shall imitate his activity, zeal, and gallantry, will richly merit the applause of his country. These qualities, united as they were in him with great decision of character, and distinguished professional attainments, constitute the able commander, and form a just claim to those grateful attentions bestowed by his countrymen upon this chief, who, on his return to the United States, was every where received with demonstrations of joy and gratitude: nor were Congress unmindful of his merits; as the following well deserved, but highly complimentary resolutions will fully attest:

Resolutions expressive of the sense of Congress, of the gallant conduct of commodore Edward Preble, the officers, seamen and marines, of his squadron.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and the same are hereby presented to commodore Edward Preble; and, through him to the officers, petty officers, seamen, and marines, attached to his squadron, for their gallantry and good conduct, displayed in the several attacks on the town, batteries, and naval force of Tripoli, in the year 1804.

Resolved, That the President of the United States be requested, to cause a gold medal to be struck, emblematical of the attacks on the town, batteries, and naval force of Tripoli, by the squadron under commodore Preble's command, and to present it to commodore Preble, in such manner as, in his opinion will be most honorable to him; and that the President be further requested to cause a sword to be presented to each of the commissioned officers and midshipmen, who have distinguished themselves in the several attacks.

Resolved, That one month's pay be allowed, exclusively of the common allowance, to all the petty officers, seamen and marines, of the squadron, who so gloriously supported the

honor of the American flag, under the orders of their gallant commander, in the several attacks.

Resolved, That the President of the United States be, also requested to communicate to the parents, or other near relatives, of captain Richard Somers, lieutenants Henry Wadsworth, James Decatur, James R. Caldwell, Joseph Israel, and midshipman, John Sword Dorsey, the deep regret which Congress feel for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country, and whose conduct ought to be regarded as an example to future generations."

[*Approved 3d March*, 1805.]

CHAPTER XIII.

Loss of the United States' frigate the Philadelphia—Address of the officers to captain Bainbridge—Court of inquiry—Finding honorable to captain Bainbridge—The Philadelphia destroyed by lieutenant Decatur—Sword presented to him—Lieutenant Decatur appointed captain—Nicholas C. Nissen—His generous and humane conduct—Resolution of Congress expressing the high sense entertained by that body, of his disinterested and benevolent attentions to captain Bainbridge, his officers and crew.

On the 20th March, 1804, President Jefferson communicated to Congress, by message, the following letter from captain William Bainbridge, announcing the loss of the frigate Philadelphia.

Captain W. Bainbridge to the honorable R. Smith, Secretary of the Navy,

Tripoli, 1st Nov. 1803.

"SIR—Misfortune necessitates me to make a communication the most distressing of my life; and it is with deep regret that I inform you, of the loss the United States' frigate Philadelphia, under my command, by being wrecked on rocks between four and five miles to the eastward of the town of Tripoli. The circumstances relating to this unfortunate event, are: at 9, A. M. being about five leagues to the eastward of Tripoli, saw a ship in shore of us, standing before the wind to the westward. We immediately gave chase; she hoisted Tripolitan colours, and continued her course very near the shore. About 11 o'clock, had approached the shore to seven fathoms water, commenced firing at her, which we continued by running before the wind until half past 11, being then in seven fathoms water, and finding our fire ineffectual to prevent her getting into Tripoli, gave up the pursuit, and was bearing off the land, when we ran on the rocks, in twelve feet water forward, and seventeen feet abaft—immediately lowered down a boat from the stern, sounded, and found the greatest depth of water astern, laid all sails aback; loosed top-gallant sails, and set a heavy press of sail canvass on the ship, blowing fresh, to back her off—cast three anchors away from the bows, started the water in the hold, hove overboard the guns except-

ing some abaft, to defend the ship against the gunboats, which were then firing on us; found all this ineffectual; then made the last resort of lightening her forward, by cutting away the foremast, which carried the main-top-gallant mast with it; but labour and enterprize were in vain, for our fate was direfully fixed. I am fully sensible of the loss that has occurred to our country, and the difficulty which it may further involve her in with this regency, and feel beyond description for the brave unfortunate officers and men under my command, who have done every thing in their power worthy of the character and stations they filled; and I trust, on investigation of my own conduct, that it will appear to my government and country, consistent with the station in which I had the honor of being placed.

"Striking on the rocks, was an accident not possible for me to guard against, by any intimation of charts, as no such shoals were laid down in any on board, and every careful precaution, (by three leads kept heaving,) was made use of on approaching the shore, to effect the capture of a Tripolitan cruiser; and after the ship struck the rocks, all possible measures were taken to get her off, and the firm determination made not to give her up as long as a possible hope remained, although annoyed by gun boats, which took their position in such a manner that we could not bring our guns to bear on them, not even after cutting away part of the stern to effect it.

"When my officers and self had not a hope left of its being possible to get her off the rocks, and having withstood the fire of the gun boats for four hours, and a reinforcement coming out from Tripoli, without the smallest chance of injuring them by resistance, to save the lives of brave men, left no alternative, but the distressing one of hauling our colors down, and submitting to the enemy, whom chance had befriended. In such a dilemma, the flag of the United States was struck; however painful it will be to our fellow citizens to hear the news, they may be assured that we feel, in a national loss, equally with them. Zeal of serving our country in doing our duty, has placed us in that situation which can better be conceived than described, and from which we rely on our country's extricating us.

"The gun boats, in attacking, fired principally at our masts; had they directed their shot at the hull, no doubt but they would have killed many.

"The ship was taken possession of a little after sun-set, and in the course of the evening, myself and all the officers, with part of the crew, were brought on shore, and carried before the Bashaw, who asked several questions; from his palace the officers were conducted to the house which Mr. Cathcart lived in, where we lodged last night, and this day the *minister* has

become the guarantee to the Bashaw for us officers, and we have given him our parole of honor.

"Enclosed you will receive a list of the officers, and a few of the people to attend them, who are quartered in the American consular house, and are to be provided for by such ways and means as I can best adopt, which will be on as economical a plan as possible; the remainder of the crew will be supported by this regency.

"We have lost every thing but what was on our backs, and even part of that was taken off; the loss of the officers is considerable, as they were well provided in every necessary for a long cruise.

"Mr. Nissen, the Danish consul, has been extremely attentive, and kindly offers every service.

"I trust, sir, you will readily conceive the anxiety of mind I must suffer. After the perusal of the enclosed certificate from the officers on my conduct, should you be pleased to express the opinion of the government, you will much oblige me.

"I have the honor, &c.

"W. BAINBRIDGE.

"P. S. Notwithstanding our parole, we are not permitted to leave the house, or go on the top of it, and they have closed our view of the sea."

The commission and warrant officers of the Philadelphia, to captain William Bainbridge.

TRIPOLI, November 1, 1803.

"SIR—We, late officers of the United States' frigate Philadelphia, under your command, wishing to express our full approbation of your conduct concerning the unfortunate event of yesterday, do conceive, that the charts and soundings justified as near an approach to the shore as we made, and that after the ship struck, every exertion was made, and every expedient tried to get her off, and to defend her, which either courage or abilities could have dictated. We wish to add that, in this instance, as well as every other since we have had the honor of being under your command, the officer and seaman have distinguished you. Believe us, sir, that our misfortunes and sorrows are entirely absorbed in our sympathy for you.

"We are, Sir, with sentiments of the highest and most sincere respect, your friends and fellow sufferers.

DAVID PORTER, lieutenant.
J. JONES, lieutenant.
T. HUNT, lieutenant.
BENJAMIN SMITH, lieut."

Wm. S. Osborn, lieut. marines.	Jonathan Cowdery, surg's mate.
John Ridgely, surgeon.	Nicholas Harwood, do.
Keith Spence, purser.	Bernard Henry, midshipman.
Wm. Knight, sailing master.	James Gibbon, do.

James Biddle, midshipman.	Simon Smith, midshipman
Richard B. Jones, do.	Joseph Douglass, sailmaker.
D. T. Patterson, do.	George Hodger, boatswain.
Wm. Cutbush, do.	Richard Stephenson, gunner.
Benj. F. Reed, do.	James Renshaw, midshipman.
W. Wormley, do.	William Godby, carpenter.
Robert Gamble do.	

Captain Bainbridge, the officers above mentioned, and the following, viz.

William Anderson, captain's clerk, Minor Forentine, master's mate, James C. Morris, ship's steward, Otis Hunt, serjeant of marines, D. Ervine, do. William Leith, cook, James Casey, master at arms; Peter Williams, corporal; John Babtist, Lewis Hecksener, Frederick Lewis, Charles Mitchell, P. Cook, L. Foster, William James, William Gardener, and William Kemperfill—in all forty three, were quartered at the American Consular House at Tripoli; and the residue of the crew, consisting of two hundred and sixty-four men and boys were placed in the Bashaw's castle.

Whole number of the crew, three hundred and seven.

Captain Bainbridge, officers, and crew, remained in captivity till the 3d June, 1805,* when peace with the Bashaw of Tripoli was concluded, which restored them to liberty. They proceeded to Syracuse, where a court of inquiry was held on the conduct of captain Bainbridge in the loss of the Philadelphia.

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* While in captivity, captain Bainbridge made frequent and valuable communications to commodore Preble.—In a letter of 26th March, 1804, he observed: "The destruction of Tripoli could be effected by sending three or four thousand troops, and if it was possible to preserve profound secrecy as to the expedition, I have no doubt a much less force could accomplish it. I am clearly of opinion, that if you could arm about eighteen or twenty ship's boats, you could destroy all the gun-boats, which would be attended with the most favorable consequences towards a peace. The gun-boats carry twenty-five to thirty men. A few bomb shells thrown into this town, would do damage and cause great alarm,"

7th July. "I gave you my opinion that firing shells into this town, if it was only done in the night, would drive all the inhabitants out into the country, where there are not habitations to receive them, and by continuing to heave them from time to time, for a month or two, the distress that the people would be in, by being kept out of the town, would make them clamorous, &c."

8th July. "I believe the Bashaw expects an attack, for he has moved his family to the gardens, and comes in every evening. I hope to God that you will be able to reduce this place; but don't you think that ship's boats would answer better than gun-boats? They would be more wieldy for attack in the harbor, which must be sudden and furious—Cursed fate! which deprives me of sharing the danger and glory."

The court convened on board the ship Constitution at Syracuse, 29th June, 1805, and consisted of

captain James Barron, President,
captain H. G. Campbell, } members.
captain S. Decatur, jr. }
Wm. Eaton, esq. Judge Advocate.

The court proceeded to the examination of the following witnesses:—lieutenants Porter, Jones, Hunt, and Smith; William Knight, sailing master; lieutenant Osborn, of marines; Mr. Spence purser; midshipmen Patterson, Reed, Gibbon, Biddle, Renshaw, and Anderson; gunner Stephenson; boatswain Hodge; and carpenter Godby.

Lieutenant Porter testified: "that on the 31st October, 1803, about 8 o'clock in the morning, the ship Philadelphia, then under the command of captain William Bainbridge, and cruising off the port of Tripoli, the wind from the eastward and the frigate standing in and along the shore, discovered a sail on her weather bow, running to the Westward, to which she gave chase. The chase was soon distinguished to be an enemy corsair, standing into the port of Tripoli.

"The Philadelphia continued the chase until she came into about eight fathoms water, keeping up a constant fire upon the enemy with her bow guns, until it was found impossible to come up with her, without danger of approaching too near the shore—consequently she hauled out to gain an offing. She had constantly three leads going; one deep sea, and two hand leads. The ship had about 8 knots way upon her. This witness was ordered into the mizen top to look into the harbor of Tripoli, and observe if any cruisers were in port. At this instant the water shoaled, and the helm was put down. He had got about half way up the mizen rigging, when he felt the ship strike. He immediately returned on deck. All sails were instantly set to endeavor to force her over the bank. Finding this did not succeed, captain Bainbridge asked the witness's opinion, what could best be done? who requested him to consult his officers generally. The lead had been hove under her bows in about twelve feet water. The ship lifted at times abaft, and the helm was then clear. The enemy's gun boats were already seen coming out of port, nine in number, as nearly as the witness recollects. A boat was sent out to sound around the ship, and deep water was found a stern. The officers being consulted, were of opinion that endeavors should be used to back the ship off by a press of sail; and if that should not succeed, to run the guns abaft—both were done, and at the same time the anchors cut from the bows, but to no effect. It was then the opinion that the guns should be hove overboard, reserving only enough to resist the gun boats: this was done—In the meantime the enemy passed under the fire of the frigate's stern guns, and took a position on the starboard and weather quarter, where no guns

could be brought to bear on them by reason of their advantageous position, and the deep heel to port and fixed position of the ship. Captain Bainbridge now called another council of the officers, who were of opinion that the water should be started in the hold and pumped out, and all the heavy articles hove overboard; if that should not succeed, as a last resort to save the ship, the foremast should be cut away—all these were done to no effect. Orders were then given to the carpenter to go down forward and bore holes through the ships bottom, and to the gunner to drown the magazine, by turning the cock and securing the key. The witness heard the gunner report that he had executed this order. Orders were then given to destroy every thing on board, which could be rendered useful to the enemy. It had now already been determined that the flag must be struck, as no hopes remained of saving the ship, and no possible means of defending her. The colors were accordingly struck, and the enemy took possession. It was now about sun down, and the ship had grounded about half after 11 in the morning, as nearly as the witness can recollect, during which time she was exposed to the constant fire of the gun boats—but suffered only in her spars and rigging. The ship was lost about three miles and a half from the town of Tripoli, and one and a half from the nearest point of land, which bore south."

Lieutenant Porter further testified his having "noticed in captain Bainbridge, great coolness and deliberation."

As it did not appear that the anchors of the ship had been made use of to get her off, the court inquired, whether the ship had any boats sufficient to carry out an anchor. Lieutenant Porter's opinion was, that she had not; and lieutenant Hunt upon this point testified, "that in the river Delaware, he made an experiment in carrying out an anchor in the Philadelphia's launch, when she was obliged *to be buoyed by casks.*"

Lieutenants Jones, Hunt, and Smith—Sailing master Knight, lieutenant Osborn, Mr. Spence, and all the other witnesses confirmed the testimony of lieutenant Porter.

Mr. B. F. Read testified in addition that after it was determined to strike the colors "cannon shot were thrown into the pumps to render them useless."

Mr. Patterson "destroyed the numerary signal book of the Philadelphia, by captain Bainbridge's orders, before leaving her."

Mr. Anderson "saw captain Bainbridge tear them' (signal books,) both up, and hand them to some officer to be burned or thrown overboard."

Having inquired minutely into all the circumstances attending the loss of this ship, the court came to the following decision:

JUNE 29, 1805.

"The court having deliberated on the evidence deduced from the testimony of the witnesses heard in this case, are decidedly of opinion, that captain William Bainbridge acted with fortitude and conduct, in the loss of his ship the United States frigate Philadelphia, on the 31st October, 1803; and that no degree of censure should attach itself to him from that event.

"JAMES BARRON, *President.*"

"WM. EATON,
Acting Judge Advocate."

The government concurred in opinion with the court, that no degree of censure could justly be attached to captain Bainbridge: every means that skill and valor could suggest having been resorted to, to get the ship off, and defend her.

She had struck on a rock not indicated by any chart on board, and was thrown into such a situatiou as to render her guns useless; and the enemy had come out in force against her, and taken such positions as enabled them, without receiving any injury, to destroy her at pleasure—to defend her, with the most distant hope of success was impracticable. Under such circumstances, humanity required that the flag should be struck, and this was a measure not forbid by either national or the most sensitive individual honor.—Hence, not only the court of inquiry, but the government of the United States, and all who were informed as to the circumstances of the case, acquitted captain Bainbridge and every officer of the ship, of every degree of censure.

The enemy, having a number of small vessels and lighters, soon succeeded in getting the Philadelphia off the rock and carried her, triumphantly, into the harbour of Tripoli. Their triumph, however, was but of short duration. The disaster gave rise to an acheivement which more than repaid our loss.

The destruction of the frigate Philadelphia.

On the 13th November, 1804, the honorable Mr. Smith, Secretary of the Navy, laid before the President of the United States, the following statement of the circumstance attending the destruction of the frigate Philadelphia.

"On the 31st January, 1804, commodore Preble, lying with his squadron in the harbor of Syracuse, gave orders to lieutenant Charles Stewart, commanding the brig Siren, of sixteen guns, and to lieutenant Stephen Decatur, jr. commanding the ketch Intrepid, of four guns and seventy-five men, to proceed to Tripoli, and destroy the frigate Philadelphia, of forty-four guns, then lying in the harbor of Tripoli. Lieu-

tenant Decatur had orders to enter the harbor in the night, board and set fire to the Philadelphia; and lieutenant Stewart, was ordered to take the best possible position, without the harbor, to cover the retreat.

"Under these orders they proceeded immediately to the coast of Tripoli, but owing to the very heavy gales of wind that usually prevail there in the winter season, the enterprize could not be undertaken until the 16th February; when lieutenant Stewart, having taken the best possible position to effect the object of his instructions, lieutenant Decatur, at 7 o'clock in the night, entered the harbor of Tripoli, boarded and took possession of the Philadelphia. This frigate, at the time she was boarded, had all her guns mounted and charged, and was lying within half-gun shot of the Bashaw's castle, and of his principal battery. Two Tripolitan cruisers were lying within two cable's length on the starboard quarter, and several gunboats within half-gun shot, on the starboard bow; and all the batteries on shore were opened upon the assailants. About twenty men of the Philadelphia were killed, a large boat full got off—many leaped into the water, and one man was made prisoner. After having gained possession of the frigate, lieutenant Decatur set fire to the store rooms, gun room, cock-pit, and birth deck, and with a firmness highly honorable to him, his officers and men, they remained on board until the flames had issued from the ports of the gun deck, and the hatchways of the spar deck; and they continued in the ketch along side the frigate until the fire had communicated to her rigging and tops. Lieutenant Decatur did not lose a man and had but one slightly wounded.

The following is a list of the officers and the number of men employed in the destruction of the Philadelphia:

Lieutenant	Stephen Decatur, jr. commander.
Lieutenants.	James Lawrence,
	Joseph Bainbridge,
	Jonathan Thorn,
Surgeon.	Lewis Heerman.*

* Soon after the outfit of the ketch Intrepid had been commenced by lieut. Lawrence, under the direction of lieut. Decatur, the latter informed doctor Heerman, in confidence, of the object and destination of the vessel, and desired an official report from him of any officers or men on board the United States' schooner Enterprize, (under Decatur's command,) who from physical causes, or from frequent liability to indisposition, might be unfit to accompany such an expedition; as he desired only young and active men, who could be fully depended on when wanted. The brig Siren, he continued, "is intended to accompany us, to give succour, if required, and cover our retreat, if necessary. I shall want you, doctor, to go with me; but before I go into the harbor, I shall put you on board the brig." Doctor Heerman replied, that he "felt himself bound to submit to any arrangement that might be made; but could not refrain from expressing an earnest wish that he might be permitted to accompany the expedition into the harbor," where, in his opi-

Midshipmen.	Ralph Izard, John Rowe, Charles Morris, jr. Alexander Laws, John Davis, Thomas Macdonough, Thomas O. Anderson,
Pilot,	Salvador Catalani, and

62 men.

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nion, "his professional services migh tbe most useful." Lieutenant Decatur discouraged this idea, observing, "the expedition is of a character altogether too dangerous to expose a surgeon in; and suppose, Sir, you should be killed or wounded, it would reflect on me." The doctor persevering in his application, replied, "my life, Sir, is not more valuable than that of any of the other brave officers and men who are to accompany you; and should I be killed or wounded, the officers and crew would be as well provided for after their achievement by doctor Marshall alone, as by him and myself united. Again, Sir, allow me to observe, with all due deference to your better judgment, and with a perfect consciousness of the bravery of your officers and men who have volunteered to accompany you on this expedition, that the presence of a professional man to assist the wounded, might save many valuable lives, which may be sacrificed from loss of blood, for the want of a surgeon, conversant with the most effectual means of staunching it—and will not sailors more regardlessly expose themselves, when they know that professional aid is near at hand? Should you have many wounded, would not some confusion arise, to impair your effective force?" To all which lieut. Decatur replied: "Well then, doctor, you may go with me; but be sure that you get into a place of safety on board the vessel in the moment of danger." The doctor replied, "I am under high obligations to you, Sir, and shall consider the permission you have given me to go in as an order." A day or two before the expedition, was undetaken lieutenant Decatur, who found the doctor by no means disposed to seek a place of safety in the moment of danger, observed to him, "Doctor, the Intrepid is a mere shell, and can afford you no place of safety.—In the distribution of my officers to different parts of the ship, I find that I fall short, and can not spare any one in whom I have entire confidence, to command the ketch while we board the frigate. I shall leave her in your charge with seven men; and as the enemy, when pressed hard, will be apt to retreat from the spar deck and board the ketch from the gun-ports of the frigate; and as boats may be sent from the shore to their assistance, your safety will consist in giving no quarters. Should you be attacked by boats, send me the earliest notice; and, as upon the preservation of the ketch may depend, in a great measure, the successful issue of the expedition, I shall expect of you, at all events, to defend her to the last man. When the ship is taken, you will station your lookouts fore and aft, and see that the combustibles, on being required from the ketch, are transferred with the utmost expedition and in good order: and if it should be necessary to defend the ship, you will have arms and ammunition in readiness for the occasion."

These orders were faithfully executed by the gallant doctor. Near the close of the scene, a Turk jumped on board the ketch, from the gun deck of the ship; but as he was severely wounded, and the motive for making no prisoners no longer existed, the doctor spared his life, and was applauded for it by his commander.

Lieutenant Decatur has stated that all his officers and men behaved with the greatest coolness and intrepidity; and commodore Preble has informed me that lieutenant Stewart's conduct was judicious and meritorious.

R. SMITH.

On the 27th November, 1804, the following resolution was passed by Congress.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be requested to present in the name of Congress, to captain Stephen Decatur, a sword, and to each of the officers and crew of the United States' ketch Intrepid, two month's pay, as a testimony of the high sense entertained by Congress, of the gallantry, good conduct and services, of captain Decatur the officers and crew of the said ketch, in attacking in the harbor of Tripoli, and destroying, a Tripolitan frigate of forty-four guns."

In the previous month of May, Mr. Secretary Smith had received from commodore Preble despatches, announcing the destruction of the Philadelphia, and submitted them to President Jefferson with a recommendation to appoint lieutenant Decatur a captain in the navy, as a reward for the achievement; and the President having concurred, Mr. Smith addressed the following letters to commodore Preble and captain Decatur.

To Commodore Preble.

MAY 22, 1804.

"Your several despatches have been received. "We congratulate you on the glorious enterprize achieved by captain Decatur. As a testimonial of our high sense of the brilliancy of this enterprize, we send the hero a captain's commission. Knowing that you will feel great pleasure in presenting it to him, I herewith send it to you for that purpose"

To Stephen Decatur, esq. captain in the navy of the United States, care of commodore Preble, Mediterranean.

MAY 22, 1804.

SIR—"By despatches from commodore Preble it has been announced to us, that the destruction of the late frigate Philadelphia, has been effected while lying in the harbor of Tripoli, under circumstances of extraordinary peril to the parties that achieved it. I find, Sir, that you had the command of this expedition.

"The achievement of this brilliant enterprize reflects the highest honor on all the officers and men concerned. You have acquitted yourself in a manner which justifies the high confidence we have reposed in your valor and your skill. The President has desired me to convey to you his thanks for your gallant conduct on this occasion, and he likewise requests that you will in his name, thank each individual of your gallant

band, for their honorable and valorous support, rendered the more honorable from its having been volunteered.

"As a testimonial of the President's high opinion of your gallant conduct, in this instance, he sends to you the enclosed commission.

"I have the honor to be, &c.

(Signed,) R. SMITH.

MR. NISSEN.

The House of Representatives of the United States, having understood that Nicholas C. Nissen, Esq. his Danish Majesty's consul, residing at Tripoli, had rendered essential services to the crew of the frigate Philadelphia, while in captivity, passed a resolution, on the 5th February, 1806, requiring the Secretary of the Navy to inform the House "of the nature and extent of the services rendered" by him; and Mr. Secretary Smith, on the 4th March, 1806, transmitted to the Speaker of the House, the following letter from captain Bainbridge upon that subject:

NEW-YORK, 12th February, 1806.

"SIR—In compliance with your letter of the 6th instant, which this day came to hand, I hasten to detail the services rendered to the crew of the United States' late frigate Philadelphia, by Nicholas C. Nissen, Esq. his Danish Majesty's consul residing there.

"In consequence of the mode of imprisonment, it was impossible for the officers to procure the necessary articles of subsistence. They were therefore necessitated to receive their daily provision, &c. through another channel. Mr. Nissen generously offered his services to obtain our necessary supplies, which he did in the most faithful manner, for nineteen months and three days, the period of our captivity, and at times when the funds placed at my command in Tripoli were expended, he continued our daily supply by his own means, until ours were renewed by the commodore of the Mediterranean squadron, or George Davis, Esq. charge des affaires at Tunis, to whom we are greatly indebted.

"Had it not been for the friendly aid of consul Nissen, we should not have received our subsistence in so regular a manner as we did, and should have been exposed at a great expense to the impositions of the lowest class of our enemy. His attentions were not confined solely to the officers, but were equally extended to the seamen and soldiers.

"Consul Nissen was the first Christian we saw after landing on the shore of Africa, and he met us the very evening of our misfortune, with the philanthropy of a man of feeling, and immediately administered to our wants, by sending provision and bedding from his house, and ameliorated as much as possible our truly unpleasant situation.

"I cannot, in justice to his attention, omit mentioning a circumstance which shows the lively interest he took in our situation, and the hazard he ran to serve us. When commodore Preble attacked Tripoli, Mr. Nissen's house was as much exposed as any in the town, and himself in danger from the bombardment. I solicited him frequently to leave his dangerous situation, and retire to the gardens, where the consuls were. He requested me not to importune him more to leave the town, for he preferred running the risk of the shot and shells from our squadron, and attending to our wants, to resorting to the gardens. In thus pursuing the dictates of a feeling mind, he was very near losing his life by a shot from the Constitution: Had he not acted in this friendly manner towards us, it is very probable we should have been several days without provisions, as the enemy were occupied and exasperated.

"I have, sir, detailed to you generally, the services rendered to the officers and crew of the Philadelphia, at Tripoli, by Nicholas C. Nissen, Esq. but it is impossible for me to convey a just sense of them. Nothing but a perfect acquaintance with our situation, and the aid we received, can truly estimate the services rendered.

"I have the honor to be, Sir, with the greatest respect,

"Your most obedient servant,

"W BAINBRIDGE."

"To the honorable R. Smith, Secretary of the Navy."

Having received this information, Congress passed the following resolution:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be requested to cause to be made known to Nicholas C. Nissen, Esq. his Danish Majesty's consul residing at Tripoli, the high sense entertained by Congress of his disinterested and benevolent attentions, manifested to captain Bainbridge, his officers, and crew, during the time of their captivity in Tripoli."

[*Approved* 10*th April*, 1806.]

CHAPTER XIV.

The John Adams arrives before Tripoli—The President, Congress, Essex, and Constellation, arrive at Gibraltar—Mr. Simpson's communication to commodore Barron—Reply—The Congress and the Essex proceed to Tangier—The President and Constellation arrive off Tripoli, 10th September—Captain Rodgers in the Congress, leaves the Essex to watch the movements of the Emperor of Morocco, and proceeds aloft and takes his station before Tripoli—His report to commodore Barron—Sounds inside of the rocks—Put in command of the Constitution, and captain Decatur takes command of the Congress—Constitution sails for Lisbon—Returns off Tripoli—Captain Rodgers submits a plan of operations to commodore Barron—Commodore Barron sends the Essex with colonel Lear to attempt a negotiation, and transfers the command of the squadron to captain Rodgers—Commodore Rodgers remains before Tripoli, gives to captain James Barron the command of the frigate President, attaching captain Cox to the Essex—Peace with the Bashaw of Tripoli concluded, *on board of the Constitution*—General orders issued by commodore Rodgers, in consequence of three men having been taken from gun boat No. 6 by a British squadron—Mr. Eaton's expedition—Commodore Rodgers proceeds with the squadron to the Bay of Tunis—Happy effect of this visit upon the dispositions of the Bey—The Bey professes peaceful dispositions, and sends an ambassador to the United States.

The John Adams, captain Chauncey, sailed from Hampton Roads 26th June, 1804, leaving the greater part of her gun carriages (in order to make room for provisions and supplies for the squadron,) to be brought out in the other ships. She joined commodore Preble off Tripoli at 8 o'clock P. M. of the 7th August, about two hours after the action on that day. The ship was not in a condition to be of any essential service in any of the subsequent actions; but, as we have heretofore seen, her commander, several of his officers, and about seventy seamen and marines volunteered their services on board the Constitution in the several attacks, made after their arrival, on the batteries and vessels of Tripoli; and partook, equally with others, in the perils and honors of battle.

The President, commodore S. Barron; the Congress, captain John Rodgers; the Essex, captain James Barron; and the Constellation, capt. H G. Campbell, sailed from Hampton Roads on the 4th July, 1804, and arrived at Gibraltar early in August. On his arrival, commodore Barron received a number of letters from our consul Mr. Simpson, resident at Tangier, enclosing a correspondence between him and Hadge Abderham Hashas, one of the ministers of the Emperor of Morocco, on the subject of a passport for one of his Moorish majesty's ships, to enter the port of Tripoli with provisions. In asking this favor, the minister gave assurance of the most friendly dispositions on the part of the Emperor towards the United States. Mr. Simpson in his communication informed commodore Barron, that the Emperor of Morocco had equipped his largest ships of war, prepared them for "sea cruising," and drawn from other ports all his gallies and stationed them at Tangier, which, in his opinion, indicated hostile dispositions towards some Christian nation—most probably the United States, if his request for a passport should be refused. Under these circumstances, commodore Barron, by letter to Mr. Simpson, dated Gibraltar bay, Aug. 13th, 1804, informed him, that although he felt every disposition to oblige the Emperor of Morocco, and to cultivate the most friendly understanding with him, yet he could not, consistently with the interests of the United States and the acknowledged rights of a beligerent, permit any vessel to enter any of the ports of Tripoli—they having been declared in a state of blockade, and it being his intention to maintain a rigid blockade "according to the strict and impartial usages of war," until our differences with that regency should be brought to an honorable termination. He further informed Mr. Simpson of the arrival at Gibraltar, of the frigates President, Congress, and Constellation, on the 12th, and that the Essex was hourly expected; and that he should so dispose of the force under his command, as would effectually check any hostile intentions on the part of the Emperor.

On the following day (14th August) commodore Barron directed the Congress, captain Rodgers, with the Essex, captain James Barron, to proceed to Tangier, and ascertain if practicable, the real dispositions of the Emperor; giving to captain Rodgers, discretionary power to act according to circumstances, with instructions, if he should, after remaining some time on the station, be satisfied that the Emperor was amicably disposed, to proceed aloft and join the squadron either at Tripoli, or Malta. On the 15th, captain Rodgers, with the two frigates under his command, sailed for Tangier, and arrived in that bay, on the 16th*. On the 17th Mr. Simpson visited captain Rodgers on board of the Congress,

* Commodore Barron with the President and Constellation sailed for Tripoli, and arrived off that port, 10th September.

and gave him all the information in his possession, from which the latter inferred that there was no probability of the Emperor's proceeding to extremities. Leaving the Essex, at the entrance of the straits, to watch the movements of two gallies then in Tangier bay, and to protect our trade, captain Rodgers sailed for Sallee, arrived there on the 19th and stretched close in as near as the bar would admit, and indicated by signal the friendly character of his ship, and his wish to communicate with the shore. No disposition was discovered to communicate with him. After plying off and on before the town for two days and using every means in his power to bring about an interview, without any effect, impressed with a belief that a longer continuance on the station might, "occasion an alarm, injurious to a good understanding," he, on the 21st, made sail for Tangier, where he again communicated with Mr. Simpson; and thence proceeded for Gibraltar, with the Essex in company, and arrived there on the 30th.

The Emperor of Morocco, and the Bashaw of Tripoli, being more closely allied than any of the other Barbary states, in consequence of a blood connexion, captain Rodgers, from this circumstance and from the observations he had made, was induced to believe, that the Emperor had put his cruisers in motion, and made his demand for a passport for his ship, in order to produce an impression that he meditated hostilities against the United States: calculating that such an impression would occasion a detention of some of our ships before his ports until the season should be so far advanced as to render an attack of Tripoli impracticable, or extremely hazardous. Convinced that this was the Emperor's object, he determined to proceed aloft and join without delay the squadron, leaving the Essex, whose metal was light and whose hull was not in a perfect state, on the Gibraltar station' "to cheek any unfriendly design the Emperor might feel towards our commerce.

"Captain Rodgers accordingly left Gibraltar on the 1st September, touched at Algiers on the 14th for information, and thence proceeded to Tripoli, where he joined the squadron about the 20th. On the 23d commodore Barron left the coast of Tripoli for Syracuse and Malta, to make arrangements with respect to the future operations of the squadron, leaving captain Rodgers in command, with the Congress and Constellation, requiring him as soon as he should be re-inforced by two of the smaller vessels then daily expected, to send one of the frigates to Syracuse for the purpose of watering—the other frigate to co-operate with the smaller vessels until relieved.

In giving an account of his operations before Tripoli, captain Rodgers in a letter to commodore Barron, dated October 27, 1804, stated: that during his continuance before Tripoli, "the blockade was kept up as close as the weather and other circumstances would admit," that not a vessel of any description, excepting four small coasting boats, loaded with wheat,

had got either in or out of Tripoli; that these boats had succeeded, in consequence of light winds and hazy weather, but that two of them had been chased on shore; one about three, the other about five miles to the westward of the town; that he had sent three of his ships' boats in to bring one of them off, anchoring with his ship within grape shot, so as to cover them and enable them to execute his orders; but being so near the town, and in sight of an Arabian camp, the enemy collected in such numbers, before his boats could reach the shore, as to make the risk greater than the object would justify, particularly as it was found that the enemy were so effectually covered by rocks, as to prevent his annoying them by the fire from his ship. Lieutenants Wyer, Henley, and Blakeley, commanded the boats, and had got within pistol shot of the enemy, when captain Rodgers, perceiving the strong force which had been collected to oppose them, and considering the object of too little importance to justify the great hazard which "so many brave men" would incur by prosecuting it, although he believed that they would ultimately have effected it, countermanded his orders, by signal.

In his report, captain Rodgers further stated, "Conceiving it an object of no small importance, to know, with certainty, to what distance our ships can approach the batteries of Tripoli with safety, I had resolved, for some time past, on sounding, the first favorable opportunity; and on the night of the 19th inst. I made the attempt and succeeded without interruption, much to my satisfaction. It being between one and two o'clock in the morning, and every thing quiet, I was enabled to approach so near as to observe the position of the cruisers, and found that all the gun boats were hauled up, with their sterns foremost, on the beach, so as to enable them to act as a battery, and the ketch, schooner, brig, and two galliés, dismantled and moored to the walls. I am now sufficiently acquainted with the coast contiguous to the batteries, to consider myself a good pilot, and this has proved to me, (in service like this,) the necessity of every man of war having a gig, as the sounding an enemy's coast can be effected in one of those boats without risk, when it cannot be done in any other with safety. I was in four feet water, inside of the rocks, unperceived, although I could hear the people on shore distinctly in common conversation."

While on the coast, captain Rodgers captured a xebec, armed with two carriage guns and one howitzer, with nine Turks, under circumstances so suspicious as to justify his sending her in for examination. He remained near Tripoli until the 25th October, when, having been joined by the Nautilus, and his own ship being nearly out of water, and her rudder requiring repairs, he proceeded to Syracuse, leaving the Constellation and the Nautilus to keep up the blockade. On the 6th November he took command of the frigate Constitution, by order of

commodore Barron, and gave up the Congress to captain Decatur. The Constitution being nearly eighty men short of her complement, and requiring some new sails, a cable and bowsprit, it was thought adviseable for her to proceed to Lisbon, where it was understood seamen could readily be procured, and that on her way thither, as well as on her return, she should touch at Tangier, to let the Emperor of Morocco see that our ships were in readiness to chastise him, should he attempt hostilities upon our commerce. With these objects in view, captain Rodgers sailed from Syracuse on the 27th November, called at Gibraltar and Tangier, and arrived at Lisbon on the 28th December, having experienced a continued gale from the westward, from the moment he got fairly into the Atlantic, till his arrival. Having, though not without great difficulty and detention, nearly completed his crew, and procured the supplies required for the ship, he sailed from Lisbon on the 5th February, 1805, touched at Tangier on the 13th, where the intelligence he had previously received, as to the Emperor of Morocco's having sent two hundred and fifty thousand dollars in Spanish gold, to England, for the purpose of procuring *naval stores*, was confirmed. This circumstance excited his suspicions, and induced him to order the Siren, captain Stewart, who had been some months cruising near Tangier, to continue on that station, and diligently watch the movements of the Emperor, of whose disposition to favor the Bashaw of Tripoli, by all the means in his power, no doubt was entertained. The Constitution then proceeded aloft, and joined the squadron at Malta on the 25th February, 1805. Remaining a few days in that port, she sailed to join the Constellation and Vixen, then off Tripoli, under instructions to return in fifteen days. Returning to Malta, and finding commodore Barron extremely unwell, captain Rodgers submitted to his consideration, the propositions contained in a letter dated the 19th March, 1805, of which the following are extracts.

"The blockade of Tripoli, I conceive it most advisable, to preserve as minutely as the season of the year will admit, not only to prevent the enemy's cruisers from getting out of port, which would endanger our commerce, and add incalculable perplexity by deranging every systematic disposition that could be made of the services of the different vessels of the squadron, but to prevent their receiving such supplies, as can in any way, augment their force to the prejudice of our intended operations.

"To maintain a blockade effectually, two, if not three vessels, ought always to be stationed before the port, to prevent as far as circumstances of bad weather will admit, the possibility of vessels getting out or in."

"Provided six vessels were formed into a relief, solely to preserve the blockade, the service would be easy and the vessels sure to be in order, and ready for service, as soon as the wea-

ther will authorise a combined attack. There are, besides these vessels, three others, exclusive of the Enterprize and Siren: two of which it may perhaps be adviseable, to employ on stations most likely to intercept the enemy's cruisers, now at sea, entering other ports—say Bengazi, Derne and Tunis; and the third might be charged with the duty of procuring such auxiliary force as you may consider necessary to ensure success to your future operations.

"I should not have ventured to have given an opinion unasked for, thus freely, were it not with an intention of alleviating the anxiety which you must naturally feel, in consequence of being debarred from using those exertions, which your capacity would enforce, were you in health; and I trust, that you will duly appreciate my intentions."

Having watered and obtained other necessary supplies for his ship, captain Rodgers, under the instructions of commodore Barron, sailed again for the coast of Tripoli, where he arrived on the 5th April, 1805, and was soon after joined by the frigate President, captain George Cox, which vessel he ordered to cruise about seven leagues to the eastward of Tripoli for the purpose of intercepting an armed vessel, daily expected in that quarter: stationed his own ship abreast of the town, and directed the Constellation, captain Campbell, and the Vixen, captain Smith, to return into port to refresh and obtain supplies of powder, shot, &c. On the 24th April, he captured a private armed xebec, of eight guns, with two Neapolitan ships, her prizes, bound direct into Tripoli, and sent the President with them to Malta, with orders to return without delay.

On the 22d May, 1805, commodore Samuel Barron, who had for a long time been in extreme ill health, with scarcely a prospect of recovering, transferred to commodore Rodgers the command of all the ships and vessels of war of the United States, then in the Mediterranean, or on their way thither, consisting of

The frigate Constitution,
President,
Constellation,
Congress,
Essex,
John Adams,
Brig Siren,
Argus,
Vixen,
Schooner Nautilus,
Enterprize,
Sloop Hornet, bombs Vengeance and Spitfire, and gun boats 2, 3, 4, 5, 6, 8, 9, and 10, and two or three of inferior rate, which had been obtained by commodore Preble.

Commodore Barron despatched the Essex, captain James Barron, from Malta, for the purpose of conveying consul general Lear off Tripoli, and by her sent his letter transferring the commond of the squadron to commodore Rodgers, who received it on the 26th May. On the 29th, commodore Rodgers gave the command of the frigate President, to captain James Barron, and of the Essex, to captain George Cox, the rank of the former, entitling him to the superior ship.

Colonel Lear had been authorized by the government of the United States, to negotiate a treaty of peace with the Bashaw of Tripoli, and the period had arrived when it appeared probable that he might negotiate advantageously. Captain Bainbridge had, by letter dated 16th March, 1805, informed commodore Barron of the friendly dispositions of Sidi Mahammed Dghies, minister of foreign affairs at Tripoli, manifested on numerous occasions in his conduct towards him, and his officers and crew, then in captivity—and stated that this minister had great influence with the Bashaw, and was then exerting it to bring about a peace on moderate terms; and he added the assurance that, in his opinion, whatever Dghies might write or cause to be written upon the subject of a treaty, would "merit attention."

His Danish majesty's consul for Tripoli, the benevolent N. C. Nissen esq. wrote commodore Barron on the 18th March, 1805, as follows:

"The Bashaw's Minister Sidi Mahomet Dghies, personally desirous of a re-establishment of peace with the United States of America, and wishing to contribute whatever may be in his power, to the conclusion of it, has requested me, Sir, in his name, to address you this letter."

"Sidi Mahomet Dghies, is convinced that you are informed of his endeavours in 1801 to prevent the declaration of war; he alone opposed the general opinion of the Divan in this respect. The letters of Mr. Cathcart, late consul for the United States, at Tripoli, to his government, at that time, will bear testimony of this fact."

"The war having nevertheless been declared, nothing has since been omitted by Sidi Mahomet Dghies, that could contribute to the conclusion of a peace."

"Sidi M. Dghies is desirous of a peace, and he wishes that a negotiation should be renewed before the commencement of any direct hostilities against this place. His health and particularly the state of his eyes, will oblige him to retire with his family in a short time to the country, and will not permit him again to return to town, at any future overture or negotiation of peace; and he is afraid that being absent, he shall not be able so easily to suscitate in the mind of the Bashaw, equal peaceful sentiments with his own. A negotiation entirely by letters is tedious and difficult; to negotiate by a person sent on shore from a ship of war, (who returns again on board after a

short stay and may be after a momentary interview with the Bashaw,) has many difficulties and proves often more detrimental to a negotiation than productive of a peace. He proposes, therefore, as the most effectual manner of conducting a negotiation of peace, to send to Tripoli, a person properly authorized and furnished with instructions—whoever shall be sent can be assured of the most perfect inviolability, &c."

Under these circumstances commodore Barron and colonel Lear, concluded that it would be expedient to make an attempt at negotiation, and with this view colonel Lear had arrived, in the Essex, before Tripoli.

A few hours after his arrival the Essex was ordered to stretch close in with the town of Tripoli, and make a signal indicative of a disposition to negotiate. The signal being made, was immediately answered by the Bashaw on his castle; and in half an hour after, the Spanish consul, with an officer of the Bashaw, arrived on board, by the Bashaw's orders, in order to make suitable arrangements with colonel Lear previously to opening the negotiation.

Colonel Lear had, in December, 1804, received letters from the Spanish consul, at Tripoli, stating the terms on which the Bashaw would make a treaty, viz: "that the United States should pay him two hundred thousand dollars for peace and ransom, and deliver up to him gratis, all his subjects in their power, and make full restitution of the property taken from them." These propositions were considered wholly inadmissible, and the negotiation would not have been attempted, if the communications, subsequently made, had not led to the conclusion, that peace might be obtained upon far more favorable terms. When the Spanish consul arrived on board the Essex, colonel Lear informed him that he had come for the purpose of treating, agreeably to the desire of the Bashaw; that the propositions some time previously made through him, must, however, be abandoned before he would, "consent to move one step in the business;" that if the most unequivocal evidence of their having been relinquished, were not afforded, he would not go on shore. Not being authorized to state explicitly, whether the Bashaw would abandon those propositions, or not, the consul left the ship for the purpose of consulting with him, on the subject.—The wind blowing heavily on shore, the ships were obliged to stand off, and were not able to regain their positions near the town until the 29th; when at 9, A. M. the Spanish consul went on board, taking with him the Bashaw's tiscara or commission, to treat. The negotiators having removed from the Essex to the flag ship, the Constitution, the Spanish consul, in behalf of the Bashaw, "relinquished all pretensions to a payment for peace, or any future demand of any nature whatever; but demanded the sum of one hundred and thirty thousand dollars for the ransom of our countrymen, and the delivery of his subjects gratis." This was immediately

rejected by colonel Lear, who gave his *ultimatum* in writing, desiring an immediate decision upon it, viz: "that there should be an exchange of prisoners, man for man, so far as they would go; that the Bashaw should send all the Americans in his power, on board the squadron now off Tripoli: that his subjects should be brought over from Syracuse, and delivered to him with all convenient speed; and as he had three hundred Americans, more or less, and we one hundred Tripolitans, more or less, he would engage to give him for the balance in his favor, $60,000--and that a treaty of peace should be made upon honorable and mutually beneficial terms."

With this ultimatum, the Spanish consul went on shore—and returned on board on the 30th, when he urged colonel Lear very strongly to go on shore, where, he said, every thing should be satisfactorily arranged. This was declined, and to the consul it was observed, "that it now depended on the Bashaw to terminate the business by a single word, and *that very little time more would be given for that purpose.*" The ship being obliged to stand off, in consequence of the wind blowing high, on shore, the Spanish consul was unavoidably detained on board, till the morning of the 31st. when he went on shore again, but returned at noon, and said, "that the Bashaw had at length agreed to the sum of $60,000 for the balance of the prisoners; but that he could not think of delivering up the Americans until his subjects were ready to be delivered to him"—and again urged colonel Lear to go on shore. To which colonel Lear replied, that the business had been unreasonably protracted--but as the weather did not admit of our countrymen being sent on board the previous day, he would allow the Bashaw twenty-four hours (from noon of 31st,) to agree to his propositions in toto or reject them. After this colonel Lear declined negotiating any further with the Spanish consul; and Mr. Nissen was commissioned by the Bashaw for that purpose—and on the morning of the 2d June, went on board the Constitution, where he received colonel Lear's communication, containing a sketch of a treaty, agreeably to his ultimatum, (before mentioned,) which he submitted to the Bashaw.--Returning on board about 4 o'clock in the afternoon, he said, that the Bashaw had consented to the articles, but wished one introduced, expressive of our determination to withdraw our forces &c. from Derne, and that we should endeavour to persuade his brother to leave his dominions. No objection could be made to the proposition as to withdrawing the forces from Derne; but colonel Lear observed, that if the Bashaw's brother left his territory, he must have his wife and children, (who had been detained for years by the Bashaw,) restored to him. The Bashaw was unwilling to deliver up the wife and family of his brother; but finally agreed to the preliminary articles, "with a condition that time should be allowed for the delivery of the wife and family of his brother." Mr.

Nissen having gone on shore, for the purpose of consulting the Bashaw upon this point, returned to the Constitution at 4, P. M. (3d June,) with the seal of the Bashaw to the preliminary articles.

A salute of twenty one guns was fired from the batteries of Tripoli, and answered by the Constitution.—Thus closed our war with Tripoli.

Colonel Lear in his despatches to the Secretary of State, dated 5th July, 1805, observes:

"This, I believe, is *the first instance where a peace has been concluded by any of the Barbary States on board a ship of war!* I must here pay a tribute of justice to commodore Rodgers, whose conduct during the negotiation on board, was mixed with that manly firmness, and evident wish to continue the war, if it could be done with propriety, while he displayed the magnanimity of an American, in declaring that we fought not for conquest but to maintain our just rights and national dignity, as fully convinced the negotiators, that we *did not ask, but grant, peace.*"

In consequence of three men having been taken from gun boat No. 6, by a British squadron, under the command of admiral Collingwood, commodore Rodgers issued the following

GENERAL ORDERS.

"An insult offered to the flag of the United States of America, on the 12th June last, near Cadiz, by a British squadron, under the command of admiral Collingwood, induces me, as the commander in chief of the United States' naval forces in these seas, to direct, that you do not, under any pretence whatever, suffer your vessel to be detained, or your men taken out of your vessel without you are compelled so to do by superior force; in which case, having resisted to the utmost of your power, you are directed to surrender your vessel as you would to any other common enemy, but on no account to leave her until after you have struck your colors; after which, if you are not compelled by the author or authors of such insult and violence, to quit your vessel, you are directed by me so to do; and going on board the enemy, to deliver your sword to the commanding officer of the enemy's vessel, and not return to your own again, unless you are absolutely put on board of her by force.

On saying that you are not to suffer your vessel to be detained, you are not to consider that it extends to the prevention of your giving every satisfaction to the vessels of war, you may meet on the high seas, whose nations are at peace with the United States, so far as a friendly intercourse will justify.

"(Signed)" "JNO. RODGERS."

Commander in chief of the United States' naval forces in the Mediterranean.

U. S. frigate Constitution, Syracuse, 12th July, 1805.

Joseph Pacha Caramalli, Bashaw of Tripoli, being an usurper, having obtained his power by dethroning his elder brother Hamet Pacha Caramalli, the rightful sovereign; and being extremely unpopular, as was understood, it occurred to several of the agents and commanders of our national vessels in the Mediterranean, that the dethroned brother might be made instrumental in punishing the usurper for his hostile conduct towards the United States.

Mr. Cathcart who had been appointed consul for Tripoli, in a letter to the Secretary of State, of 2d July, 1801, observes: "I not only contemplate the obtaining a permanent and honorable peace, but likewise the dethroning the present Bashaw, and effecting a revolution in favor of his brother Hamet, who is at Tunis, and thereby ensure the United States the gratitude of him and his successors." And Mr. Eaton, in a letter to the Secretary of State, of the 5th September, 1801, says, there "is a project in concert between the rightful Bashaw of Tripoli, now in exile in Tunis, and myself, to attack the usurper by land, while our operations are going on by sea. These two men are brothers; the younger is on the throne, having expelled the elder, eight or nine years ago. The subjects in general, of the reigning Bashaw, are very discontented and ripe for revolt." Commodore Murray, commanding the frigate Constellation, in a letter to William Eaton, esq. dated Malta, 18th August, 1802, observes, "I have this day had a communication with the legal Bashaw of Tripoli, and offered to take him to Derne, but he thinks it will be more to our advantage, as also his, to go there in an English brig, that he hath chartered, and try what force he can raise there, in as private a manner as possible; after which, in conjunction with the Swedish force, we can further co-operate with him by private signals agreed upon. I am pleased with his candour, and am persuaded, if he gets reinstated in his dominion, he will be friendly to us."

Mr. Cathcart in a subsequent letter to the Secretary of State, dated, Leghorn, August 25, 1802, mentions his having requested Mr. Eaton, on the 2d July, 1801, "to ascertain how far said Hamet would be willing to engage in an expedition of that nature;" and states that the measures in his contemplation, were to embark the said Hamet on board our commodore's ship, to proceed with him to Constantinople, to present him to the grand Vizier, and let him make use of his own arguments to procure the caftan or robe of honor;" which, if procured, would sanction the expedition, and in all human probability ensure success.

Commodore Morris, in a letter to the Secretary of the Navy, dated on board the Chesapeake, Gibraltar, 30th March 1803, states: that he had "been solicited by agents or pretended agents, to co-operate with the brother, to dethrone the Bey. Their demands have been from fifty thousand to one hundred

thousand dollars, ten thousand stands of arms, powder, and some light field pieces. This I absolutely refused &c."

The President of the United States received these and other similar suggestions, and "considered that concerted operations, by those who have a common enemy, were entirely justifiable, and might produce effects favorable to both, without binding either to guarantee the objects of the other;" and in June, 1804, when commodore Samuel Barron was about to proceed, to the Mediterranean with a squadron of ships, to prosecute the war with Tripoli, with extended means, he was informed by the Secretary of the Navy, that "with respect to the Ex-Bashaw of Tripoli, we have no objection to your availing yourself of his co-operation with you against Tripoli, if you shall, upon a full view of the subject, after your arrival upon the station, consider his co-opertion expedient." The subject was committed entirely to the discretion of com. Barron and the opinion was expressed, that, should he determine to co-operate with the Ex-Bashaw, he "would find Mr. Eaton extremely useful" to him; and in order to place Mr. Eaton, in such circumstances, as would enable commodore Barron to avail himself of his services, an appointment as "agent of the Navy Department of the United States of America, for the several Barbary regencies," was conferred upon him, with a compensation of one thousand two hundred dollars per annum, and the rations of a lieutenant in the navy, and he was desired to take his passage with commodore Barron, in the ship President, from whom he was to receive his instructions, and whose orders he was directed to obey.

Having arrived in the Mediterranean, and understanding that the Ex-Bashaw was in the interior of upper Egypt, not far from Grand Cairo, commodore Barron, on the 15th September, 1804, directed captain Hull, of the United States' brig Argus, "to proceed with Mr. Eaton to the port of Alexandria, in search of Hamet Bashaw, the rival brother and legitimate sovereign of the reigning Bashaw of Tripoli; and to convey him and his suite to Derne, or such other place on the coast as may be determined the most proper for co-operating with the naval force under my command, against the common enemy: or, if more agreeable to him, to bring him to me before Tripoli."

In obedience to these instructions, captain Hull proceeded with Mr. Eaton to Alexandria, where he arrived on the 26th November following—On the 29th November, Mr. Eaton, accompanied by lieutenant O'Bannon, of the corps of marines, and midshipmen Mann and Danielson, left Alexandria for Rosetta, where they stopped two days, and thence proceeded to Grand Cairo, where they arrived on the 8th December. They received from the Vice Roy every attention, and an offer "to render them any service in his power." Mr. Eaton obtained from him permission for the Ex-Bashaw to pass the Turkish army, although he had been "with the mamelukes, fighting

against the Turks for some months back." On the 13th December, Mr. Eaton despatched a special courier to the Ex-Bashaw, then supposed to be about two day's journey from Grand Cairo. Difficulties occurred in delivering his despatches —they were, however, received by the Ex-Bashaw, who, on the 3d January, 1805, acknowledged their receipt, and professed his readiness to co-operate; observing, "your operations should be carried on by sea; mine by land, and may God assist us to re-establish peace and harmony."

The Ex-Bashaw immediately separated himself from the Mamelukes, and, with his suite, about forty in number, repaired to Fiaum, a neutral province: thence he proceeded to Demanhour, where he arrived on the 5th February, 1805, and formed a junction with Mr. Eaton; and their plan of future operations was there concerted, which was to go through the desert of Lybia to Derne. In prosecution of this plan, the Ex-Bashaw was to move from Demanhour, round the Lake, and take his station at Arabs Ton, thirty miles westward of the old port of Alexandria, where Mr. Eaton engaged to join him with a detachment from Alexandria in a few days (the ensuing Sunday,) and thence proceed with him to Bomba, at the head of five hundred men, and there take post, while captain Hull was to repair to the rendezvous of the squadron (Malta) for suitable reinforcements and supplies to secure an establishment at Derne and Bengazi.—Detailing these arrangements in a letter to the Secretary of the Navy, dated Alexandria, 13th February, 1805, Mr. Eaton observes: "Those provinces in our possession will cut off from the enemy and turn into our own channel, a source of provisions, and will open a free communication with the interior of the country. I have requested of the commodore for this purpose, one hundred stands of arms, with cartridges, and two brass field pieces, with trains and ammunition; and also a detachment of one hundred marines, if necessary, to lead a *coup de main.* The Arabs and Moors are universally with us, and if we had the means of subsistence, we might march twenty or thirty thousand from the borders of Egypt, who, from time to time, have taken refuge here, since the usurpation of Jussuf Bashaw."

On the 19th February, 1805, captain Hull sailed from Alexandria, for Malta, and having there taken on board such supplies as the commodore could spare for the expedition under Mr. Eaton, he sailed again on the 26th March, in the Argus, with the sloop Hornet, and directed his course for Bomba, about sixty miles east of Derne, where he arrived on the 2d of April; after remaining in that neighborhood several days, and not being able to see Mr. Eaton, captain Hull proceeded towards Derne, about 10 miles to the eastward of which, he, on the morning of the 27th April, discovered the Nautilus, captain Dent very close to the shore, which led him to believe that captain Dent had fallen in with Mr. Eaton's army. In a

letter to commodore Barron, dated Derne 28th April, 1805, captain Hull observes, "we made all sail for the Nautilus, and at half past ten spoke her, and were informed by captain Dent, that he had communicated with Mr. Eaton the night before, who wished to have the field pieces landed as soon as possible—that Mr. Eaton intended to make an attack upon Derne, as soon as he could get possession of them, being then about two and a half miles from the town, and the enemy having sent him a challenge, we hoisted out our boat to send the field pieces on shore, with such supplies as Mr. Eaton was in want of; but on approaching the shore we found it was impossible to land the guns, without hauling them up an almost perpendicular rock twenty feet above the boat. But the perseverance of the officer and men sent on this service, effected the landing of one of them up the steep rock. Mr. Eaton, finding that we should lose time in landing the other, sent it off again, informing me that he should march for the town, as soon as he could possibly mount the field piece he had received. I gave lieutenant Samuel Evans, commanding the sloop Hornet, orders to stand close in shore, and cover the army while they were preparing to march, in case the enemy should come out against them, they having already made their appearance in great numbers outside of the town. Having ordered the necessary preparations to be made for the attack by sea, upon the town and batteries, I stood down with the Argus close to the town."

"At 2, P. M. (27th April, 1805,) Mr. Eaton began the attack by land: At the same time the Hornet, lieutenant Evans, having anchored with springs on her cables within one hundred yards of the battery of eight guns, commenced a heavy fire upon it. The Nautilus, lieutenant Dent, took her station to the eastward of the Hornet, at half a mile distance from the shore, and opened upon the town and battery.—The Argus anchored without and a little to the eastward of the Nautilus, and began firing on the town and battery. The fort kept up a heavy fire for about an hour, after which the shot flying so thick about them, they abandoned it and ran into the town and gardens back of it. The guns of the vessels were then turned on the beach, and kept a heavy fire upon the enemy, to clear the way for the few brave Christians Mr. Eaton had with him, to enter the fort as they were gaining ground very fast, though a heavy fire of musketry was constantly kept upon them from behind the houses and old walls near the shore. At about half past 3, we had the satisfaction to see lieutenant O'Bannon, and midshipman Mann, with a few brave fellows enter the fort, haul down the enemy's flag, and plant the American ensign on the walls of the battery. On turning the guns of the battery upon the town, they found them *primed and loaded*; the enemy having so precipitately abandoned the fort, that they left the guns in that state, ready to be fired upon themselves."

"While our men were turning the guns of the battery upon the town, Hamet Bashaw had taken possession of the back part of it, which brought the enemy between two fires, and soon silenced them. About 4, P. M. we had complete possession of the town and fort, and sent all our boats on shore to carry ammunition to the fort, and bring off the wounded, that they might be dressed. Mr. Eaton gave the necessary orders at the fort, and went into the town to make arrangements for guarding it during the night. At half past 5, he came on board to get his wound dressed, having received a musket ball through his left wrist. On collecting our men, we found one killed and thirteen wounded, viz.

John Wilton, marine,		killed.
William Eaton, esq.		wounded.
David Thomas, marine,		
Bernard O'Brien do.		
George Emanuel,	(Greek)	
Spedo Levedo,	do.	
Bernard Jamase,	do.	
Nicholo George,	do.	
George Goree,	do.	
Captain Lucca,	do.	
Names unknown, 3,	do.	
Angelo Fermoso Maltese,	do.	

The force with which Mr. Eaton and the Ex-Bashaw set out from Alexandria and crossed the desert, appears to have consisted of about twelve hundred men. Lieutenant O'Bannon and midshipman Mann accompanied the expedition, and had stations assigned to them according to their rank.

The enemy made several attempts to recover the town, but were uniformly discomfited. The most formidable was made on the 10th June, when an *engagement* (as it is called) ensued, which lasted *four hours!* The enemy's force on this occasion was computed to have been *five thousand*—his loss "between forty and fifty killed, and upwards of seventy wounded."

While in possession of Derne, Mr. Eaton manifested great anxiety to receive from the squadron such supplies and reinforcements as would enable him to march direct to Tripoli, and place his exiled friend, the Ex-Bashaw, upon the throne of his ancestors; but commodore Barron, having, as he justly conceived, authorized disbursements, and furnished supplies for the expedition to the full extent of his authority, could give no further countenance to the plan. "If," said he, "the Ex-Bashaw, having received this impulse from our strength, put in possession of Derne, the province where his interest is supposed to be the strongest, has not, in himself, sufficient energy, address, and courage, and cannot command sufficient means to move on with firm steps towards the usurper's residence, whilst we second his operations, by sea, he must be

considered no longer a fit subject for our support or co-operation."

Mr. Eaton, with the Ex-Bashaw, retained possession of Derne, until the frigate Constellation, despatched by commodore Rodgers, after the conclusion of peace with Tripoli, arrived there for the purpose of conveying them to Syracuse. On the arrival of the Constellation, Derne was evacuated, and Mr. Eaton, the Ex-Bashaw, and suite, embarked on board, and were landed at Syracuse, in June, 1805. Commodore Rodgers allowed the Ex-Bashaw for his support, two hundred dollars per month, which he received for several years.

Mr. Eaton entertained the opinion, that the capture of Derne greatly alarmed the reigning Bashaw of Tripoli, and induced him to conclude a treaty of peace with us. It is *possible* that this event may have contributed to confirm, in the mind of the Bashaw, a disposition to *moderate his terms*; but the idea of its having produced in him the disposition to negotiate a treaty, is not to be reconciled with the known facts in the case.

As soon as commodore Dale appeared off Tripoli (July 24, 1801,) the Bashaw "sent off a Jew to negotiate for a peace or truce;" and, by letter, informed commodore Dale, that if he "would come on shore, he was very certain we should be able to make a peace."

In the year 1802, Mr. Eaton informed Mr. Cathcart, that a proposition of peace on the part of the Bashaw of Tripoli, had been made by authority, through the Bey of Tunis.

Omitting other indications of a wish, existing before the capture of Derne, on the part of the Bashaw to make peace with us, it will be sufficient to mention the following—Four months prior to the capture of Derne, (viz. 28th December, 1804,) colonel Lear received from Don Gerardo Joseph de Pauza, the Spanish consul at Tripoli, a letter, stating that on the 17th December, "he had a private audience with the Bashaw of Tripoli, on the business of his nation, which being over, the Bashaw introduced the subject of his war with the United States, and expressed his willingness to conclude it;" and captain Bainbridge's and Mr. Nissen's letters to commodore Barron, before referred to, announcing the pacific dispositions of the Bashaw, were written more than a month, *before the capture of Derne.*

Hence, we cannot consider the capture of Derne as having decided the Bashaw to make peace with us, or as having produced in him a disposition for peace, since we find that such a disposition was expressed years before Mr. Eaton's mission was decided on; neither can it with any degree of propriety be said, that the Bashaw of Tripoli, anticipating the result of Mr. Eaton's mission in search of the Ex-Bashaw, determined to ward off the impending blow, by negotiating a peace; because he could not have known any thing of this mission at the time

he mentioned to the Spanish consul, "his willingness to conclude the war." The mission was a *secret one*, so much so indeed, that commodore Barron, for fear of accidents, would not give any *written* instructions to captain Hull, when he appointed him to transport Mr. Eaton to Alexandria. The instructions were *verbal*, and made so, it is understood, at the instance of Mr. Eaton, who believed that the success of the expedition depended on the secrecy and despatch with which it should be conducted. Mr. Eaton did not arrive at Grand Cairo, till the 8th December, 1804, nor did he see the Ex-Bashaw till the 5th February, 1805. It is utterly impossible, therefore, that the Bashaw of Tripoli, should, on the 17th December, 1804, have known of this expedition, unless the information was treacherously conveyed to him from the squadron between the sailing of captain Hull for Alexandria, (September, 1804) and his arrival there, which has never been alleged, and, is, to say the least, extremely improbable.

While, therefore, we feel every disposition to attach to Mr. Eaton's mission, and the capture of Derne, all the importance to which they may be justly entitled; and in particular to give full credit to the energy and gallantry displayed by him, and by lieutenant O'Bannon, midshipman Mann and others, throughout the whole expedition, we are unable, consistently with known facts, to ascribe, to such causes, an event of so much consequence as the treaty with the Bashaw of Tripoli.

When we reflect that the Bashaw of Tripoli, as soon as he found his ports blockaded by commodore Dale, sent off a messenger to the commodore to treat for peace or a truce; and that subsequently on numerous occasions, before this mission was authorized by government, he indicated, through various channels, a similar wish—when we reflect, that by the vigorous blockade maintained by our vessels of war, the Bashaw and his subjects, cut off almost entirely from every external source of supply, had suffered severely—that the active operations of the squadron under commodore Preble, had made him feel sensibly his own vulnerability—that he knew a squadron far more powerful was then in that sea, before his walls, and ready to batter them down, we can be at no loss, as to the causes to which to ascribe his disposition to conclude a peace with us.

He dreaded the attack for which our squadron was preparing, as much as the squadron desired it. He knew that the result of such an attack would have compelled him to abandon Tripoli. We "granted peace"—magnanimously granted it, at a moment when our squadron might have compelled submission.

In letters to commodore Barron, dated Tunis, 26th and 29th May, 1805, Mr. George Davis, consul for the United States at Tunis, informed him of several interviews he had had with the Bey and the Sapatapa, relatively to a Tunisian xebec and her two prizes, captured by the frigate Constitution on the 24th April 1805, in consequence of their having attempted to force their way into Tripoli, in violation of the blockade then vigorously maintained. The Bey of Tunis reclaimed these vessels. Mr. Davis assured him that they would not be released; and the Bey threatened a declaration of war if they were not released. He, however, determined, prior to executing this threat, to write to the commanding officer of the United States' squadron then in the Mediterranean, demanding the surrender of the vessels and their crews, with an assurance, that such of his subjects among them, as should be found to have offended the United States, should be punished "for their improper conduct." To this effect he wrote a letter dated 28th May, 1805, which was answered as follows:

To the most illustrious and most magnificent Prince, the Bey of Tunis, the abode of happiness!!

UNITED STATES' SHIP CONSTITUTION,
Syracuse, 1st July, 1805,

"SIR—I have the honor to acquaint your excellency, that the command of the United States' naval forces in the Mediterranean, has devolved on me, since the 22d of May last, and that the contents of your letter to commodore Barron, of the 28th of the same month, on the subject of the xebec and her two prizes, sent into Malta, by the United States' frigate Constitution, for a violation of the blockade of Tripoli, I have been made acquainted with.

"You mention that said xebec is Tunisian property, and that the crew of her and that of her two prizes, are Tunisian subjects and your vessels; insisting, at the same time, that you *alone* have the right to determine what is due to the United States of America, in a case wherein your subjects have violated that friendship which you profess to feel, by the most glaring insult, and *unprovoked* injury, that the nature of their relative situation would admit. In reply to your excellency on this particular subject, permit me to say, that it is not my *wish* only, but a duty which the President of the United States has enjoined on me, to respect your legal rights, and to use all honorable means in my power, to maintain friendship and a good understanding with yourself and your subjects, and not on any account, to give you cause to consider the government or citizens of the United States, in any other shape than as your sincere friends; yet your subjects have, since we have been at war with Tripoli, so often abused that respect and

friendship, which I was directed in so particular a manner to observe, by flagrantly and repeatedly adding insult to injury, that they themselves appear not to be sensible, that any respectful considerations are due *from them* to the United States. Without dwelling on a subject, which from the duty I am pledged by honor, interest, and inclination, to perform, in support of the independence and legal rights of my country, I have only to answer your excellency, that a compliance with your demands to deliver up the xebec and her two prizes, is totally inadmissible; however, I flatter myself, that your excellency, on taking a fair and impartial view of the subject, will perceive that the measure you have complained of, is such as justly authorizes the means I have adopted, to convince you that your subjects shall no longer infringe our rights with impunity."

"I have the honor to be, with the highest consideration,
"your excellency's most obedient
"and very humble servant,
"JOHN RODGERS."

In subsequent conversations with Mr. Davis, a lofty tone of menace was assumed by the Bey. Having received the commodore's answer to his letter of 28th, he said to Mr. Davis,

"Your commodore's letter ought not to be viewed in any other light than a declaration of war; and I certainly should have acted agreeable to such an impression, had not your master assured me that the hasty and rash acts of an individual, which tend to produce such an event, would never be countenanced by him. Ask any of the Christian consuls in this regency, if Hamouda Bashaw has ever received such an insult from their governments."

"The President of the United States must know, that my father and grand father have sat on the throne and ruled a kingdom. He shall learn from me that Hamouda is not yet dead, and every crowned head in Europe shall approve the eternal continuance of that war which you seem resolved to force me into—for I solemnly pledge myself, that if war is the result, never, while I have a soldier to fire a gun, will I accord peace. You may form some idea of my character from the difficulty you had to negotiate a peace, because you weakly permitted the Dey of Algiers to interfere. You may also learn my conduct to the Venicians, who rashly forced me into a war; and if I am doomed to engage in another, it shall be continued to the last hour of my existence. I frankly tell you, that the famine in my country has prevented my declaring war against you, in order that I might convince my subjects that their miseries should not be increased, unless I was forced thereto. Without such a

motive, you certainly never would have been asked the reason why you captured my vessels; but that just motive to a protraction of our difficulties, must be sacrificed to those considerations which I owe myself and all Europe."

"You are the first power which has ever captured a Tunisian cruiser in full peace, on any pretext whatever.--You are the first that has ever offered unprovoked insults to Hamouda Bashaw, who has ruled a kingdom for twenty-seven years, and been respected by all the world, as a sovereign. If I was tamely to smbmit to such acts of outrage, what should I expect from nations, far more powerful than yourselves. You have seen what has been accorded me, by Spain, Sweden and Denmark, whose local situation, and maritime force must render them more formidable enemies than the United States. Abstracted from this, the measures you pursue, are such as do not permit me to enter into any negotiation. Your commodores have done me great and repeated injuries, for the last of which my political existence forces me to insist on a proper reparation."

These strong indications of hostility on the part of the Bey of Tunis, determined commodore Rodgers to pay him a visit with all his disposable force, as soon as our affairs with the Bashaw of Tripoli would permit; and immediately after the treaty was concluded, and the necessary measures for complying with the stipulations on our part were taken, he gave orders for all the vessels, not otherwise specially employed, to prepare with all practicable despatch, to proceed with him to the bay of Tunis. The frigate Congress and the brig Vixen, were immediately sent thither to watch the movements of the Bey; and on the 23d July, the frigates Constitution, Constellation, Essex and John Adams, the brig Siren, the schooners Nautilus and Enterprize, the sloop Hornet, and a number of gun boats sailed from Malta and arrived in Tunis bay, on the 31st July, and got to anchorage on the 1st August, 1805. The signal for the consul to come on board was immediately hoisted. He appeared on board on the 2d August, and gave a detail of all his conferences with the Bey. A council of war was then called by the commodore, who submitted all the information in his possession. Colonel Lear was present at this council, and it terminated in deciding, that the following letter should be addressed by the commodore to the Bey:

To the most illustrious and most magnificent Prince, the Bey of Tunis, the abode of happiness!!

UNITED STATES' SHIP CONSTITUTION,
Tunis Bay, Aug. 2d, 8 o'clock, A. M. 1805.

"SIR—It is with equal pain and astonishment that I was yesterday made acquainted by George Davis, esq. charge des affaires to your court, with your declaration, wherein you informed him that my appearance here, with the squadron under my command, would determine an immediate declara-

tion of war on your part. If this be the case, those explanations which brought me here, and which I had hoped would re-establish a good understanding between your excellency and the government of my country, are unnecessary, as it now only rests for me, in justification of my conduct, to request that your excellency will have the goodness to inform me, whether there has been any mistake in the application of your assertion tending to a declaration of war with the United States; as your excellency will without doubt see the propriety, as also, the necessity on my part of commencing both defensive and offensive operations against your regency in the course of thirty-six hours, should I not hear from you on this important and equally, (to me,) painful subject.

"I have the honor to be,
"with the highest consideration and respect,
"your excellency's most obedient
"and very humble servant,
(Signed) "JOHN RODGERS."

On the 5th August, captain Decatur was directed by the commodore to proceed to Tunis, and co-operate with Mr. Davis, in obtaining from the Bey an unequivocal and satisfactory guarantee for the faithful observance of peace. The Bey refused to receive captain Decatur in this character; and the captain in a spirited manner "refused visiting him on any other terms;" and left Tunis to return to the squadron and report the result of his mission. As soon as the Bey heard of his departure he manifested great concern. "His royal breast appeared to be panic struck," and he despatched a messenger, with the following letter, with such expedition that it "was received before captain Decatur got on board."

"*The Bashaw of Tunis, the City well guarded, the residence of Felicity—To commodore John Rodgers, commander in chief of the United States's naval forces in the Mediterranean, actually on board the ship Constitution, anchored in the roads of Goletta:*

"SIR—In answer to your letter, dated 2d of August, which I received the day before yesterday, I declare it was never my intention to refuse seeing or treating with you, any time you presented yourself in a friendly manner, that is, with only a part of your squadron, as I have always had the pleasure of seeing done by commanders sent by other powers, my friends; but it is certain that I have positively declared to the person charged with the affairs of your government, residing here, that I did not know how to tolerate your presenting yourself in a hostile and powerful manner, as you now have done, with all the force under your command, when there was no reason

for so doing, except that of a friendly treaty to be decided on: for it is by explanations and clearness of different points that the consolations of good harmony, which happily subsists between your government and me, are to exist and more and more augment. This, for my part, I have always maintained, and will maintain, according to the tenor of the stipulated and solemn ratification of our treaty.

"But I am now informed that consul general Lear is invested with the power to make with me a final treaty; in consequence of which I invite him to come in person, in the character which is conferred on him by the President, that he may explain to me the desires of the same.

"With pleasure I declare, if you find it proper to accompany him, you will be very welcome, and would give me a particular pleasure. In the mean time, I have the pleasure of wishing you all happiness.

"HAMUD BASSA, Bey, [L. S.]

"*The Court of Tunis,*

"*In the evening, 5th August,* 1805."

The Bey wrote a similar letter, at the same time, to colonel Lear, acknowledging the receipt of his "genteel letter," of the 2d August, professing a strong disposition to "make his acquaintance," his willingness to receive and treat with him, assuring him, "you will be received by me with all that politeness you merit, and the friendship I profess for your President, for whom I have the greatest esteem."

John Rodgers, commander in chief of the United States' naval forces in the Mediterranean, to his Excellency Hamuda Bassa, the most illustrious and most magnificent Prince, the Bey of Tunis, the abode of happiness!!

TUNIS BAY, 11th August, 1805.

"It having been reported to me, that your excellency had threatened my country with immediate war, in case of my appearing in this bay, with the squadron under my command; that neither consul general Lear nor myself would be received by you, without previous concessions on my part, and the restoration of the xebec and her two prizes, which, in their attempt to violate the blockade of Tripoli, I had captured; and that you had summoned the Spanish and Dutch consuls to witness a protest against me for the detention of these vessels, with other circumstances affecting the honor and interest of my country, I have been constrained, by considerations of duty, never for a moment to be disregarded, to require of your excellency a guarantee for the maintenance of peace, to be witnessed by the English and French consuls.

"I require of you nothing but what is fair and honorable to

yourself and my country, and I now inform you, that no further advances can be made by me, until you give me the guarantee already required, or propose such other terms as I may consider an equivalent.

"It now appears, that your excellency's greatest cause of complaint, is my coming into your bay with *all* my squadron. In less than forty-eight hours, you will probably find that you have been deceived in the information you have received respecting our force. Two bomb brigs and a sloop of war are momently expected here, to receive orders for their future destination, and even this does not comprize our whole force in the Mediterranean, by one forty-four gun frigate and eight formidable gun boats.

"The minister your excellency proposed sending to the United States, I can undertake to say, will be received by the government with all the respect due to his character.

"In order that no part of my language may be considered vague, or admit of more than one construction, permit me to acquaint your excellency, that in case the result of consul general Lear's presenting himself at your court, proves satisfactory, as it regards the honor and interest of the United States, I shall consider it an equivalent for the guarantee already requested."

The Bey of Tunis, after having proposed by letter 9th August, to send a minister to the United States, expressed a wish to decline such a measure. This having been communicated to commodore Rodgers by colonel Lear, induced him to suppose that the Bey was not sincere in his professions of peace; and that he only wished to get the squadron out of his bay, that he might make preparations for commencing hostilities. The commodore therefore in a letter to colonel Lear, dated 15th August, 1805, observes:

"He (the Bey) must do one of three things, by simple request, or else do all three by force.—He must give the guarantee already required—or, he must give sufficient security for peace, and send a minister to the United States—or, he must make such alterations in the treaty as you may require, and as may satisfy you that there is confidence to be placed in what he does."

"I have only to repeat, that if he does not do all that is necessary and proper, at the risk of my conduct being disapproved by my country, he shall feel the vengeance of the squadron now in this bay."

At half past 2, P. M. colonel Lear returned on board the Constitution, and informed commodore Rodgers that every thing was in a fair way to be honorably adjusted, and delivered to the commodore the following letter from the Bey:

The Bashaw, Bey of Tunis, &c. to commodore John Rodgers.

"THE COURT OF TUNIS, 14th August, 1805,
"In the evening.

"SIR—Leaving to consul general Lear the care of informing you, how long and friendly were our conferences of yesterday and to-day, I limit myself by the present to confirm, in the most solemn manner, that which I have wrote to you, and the same consul general Lear, assuring you that it was never my intention to declare war against your nation, nor to begin any hostilities, if not first provoked on your part.

"I conclude this misunderstanding between us, must have originated from those who have not well understood, or well remembered my words, or my writings not being well understood or explained.

"In this state of affairs, and to dispel all shade of coldness or mis understanding between the two nations, I have resolved to send, without delay, an ambassador to the President of the United States, to make a reclamation relative to the xebec and two prizes in question.

"I do not hesitate a moment in giving you my word of honor and that of a prince, as I reciprocally demand of you, that I will not commit any hostilities whatsoever, or make the least change in the present peace existing between us, until the return of my ambassador from your country, with the ratification of peace, or some other propositions or determinations of the President.

"Be pleased then, in this interval, to send me a charge of affairs, until there is by the President chosen, named, and sent to me, a consul.

"With confirming the above said, I salute you and wish you all happiness.

"HAMUDA BASSA, Bey,
"The Prince of all Princes of Tunis."

John Rodgers, commander in chief &c. to Hamuda Bassa, Bey of Tunis, &c. &c.

TUNIS BAY, 16th August 1805.

"I have the honor to acknowledge the receipt of your letter of the 14th inst.—the friendly assurances of which are sincerely reciprocated—

"Your friendly treatment of consul general Lear; your professions of an intention to place the United States on a footing with the most favored nations—and the resolution you have expressed, to send an ambassador to the United States, are considered as strong and expressive proofs of your pacific intentions towards the President and citizens of my country. I therefore beg leave to inform you that I have, in consequence

thereof given orders to the commanders of the ships and vessels under my command, to consider yourself and subjects, wheresoever the parties may meet, on the high seas or elsewhere, as *formerly*, in the light of friends, and to behave to them in all respects as such, until the source of our differences shall have been properly adjusted between yourself and the President of the United States.

"In expressing to you the wish of my government, I beg leave to inform you, that I sincerely hope to see a peace established between yourself and the United States of America, on the most permanent basis, and at the same time to assure you, that nothing shall ever happen on my part to prevent the same.

"As my arrangements are such as will not permit my separating the squadron, before your minister shall have embarked, I beg that you will do me the favor not to detain him longer than circumstances make absolutely necessary. I have ordered a frigate to prepare for his accommodation."

The frigate ordered for this purpose was the Congress, captain Decatur. She sailed in September from Tunis bay, and landed the Tunisian ambassador at the city of Washington.

This result of the visit of the squadron astonished the consuls of the different European powers resident at Tunis. Their general remark was, "no other nation has ever negotiated with the present Bey on such honorable terms." Upon the Bey himself, his court, and his subjects, it produced an impression which will probably be remembered for years yet to come, and secure our commerce from any hostility on the part of that regency.

The squadron remained in Tunis bay, thirty-two days, during which period not a single death or accident of any kind happened out of two thousand five hundred men.

The Tunisian ambassador, soon after his arrival at Washington, requested that the cruiser, with her two prizes which had been captured by the Constitution, in attempting to enter Tripoli, in defiance of the blockade, might be restored. They were all of trifling value; and the President, knowing that the restitution of them would be considered as an act of friendship to the Bey, and would be productive of advantages to the United States, greatly exceeding their value, by inducing friendly dispositions on the part of the Bey, consented to their being restored. The ambassador after being informed of this decision, demanded a supply of naval stores for the Bey, as the price of peace for three years, with an intimation that if the demand was not complied with, war might be the consequence. The President very properly refused, and the ambassador soon after left the United States, on his return home, without having previously withdrawn the intimation or the demand. But the Bey had not, it is presumed, recovered from the impressions made on his mind, by the visit of our squadron; and

it is probable that his ambassador, who was purposely afforded an opportunity of seeing our large cities, made such a report as to our national strength, as convinced him that while he had nothing to gain, he had every thing to lose, by a war with us. He therefore consulted his interest, "pocketed" our refusal to comply with the demand made through his ambassador, and continued at peace.

CHAPTER XV.

Question of rank between Talbot, Dale, and Truxtun.

About the close of the year 1798, a question arose, involving the relative rank of three of the most distinguished captains of the Navy, viz: Talbot, Dale, and Truxtun—who under their original appointments in 1794, ranked in the order in which their names are stated.

Under the act of 27 March, 1794, six frigates were authorized to be built—and six captains* were appointed to command them; but the act of 20th April, 1796, suspended the building of three of these frigates—and no provision having been made by law for continuing the pay of the captains who had been appointed to those three, viz: Talbot, Dale, and Sever, the President of the United States directed the Secretary of War, then charged with the duty of superintending the concerns of the Navy, to address to each of them a letter, of which the following is a copy:

War Office, June 4, 1796.

"SIR—Congress having limited by a late act, the number of frigates to be built to three, and no provision for the pay and subsistence of the captains of those ordered to be suspended [which have been those in least forwardness,] it becomes my duty to inform you, that your pay and subsistence as captain of the frigate that was to have been built at ——— will cease on the 30th inst: to which time you will be pleased to render your account for settlement.

"While I make you this communication, I mention with pleasure the hope of the President, that should any future occasion require your services, they will be cheerfully given."

"I am, &c. &c."

Captain Truxtun, being originally appointed to one of the frigates, the construction of which was not suspended, contended that the above letter put the officers to whom it was addressed, completely out of service: that altho' two of them, Talbot and Dale, ranked him under their original appointments, yet they became from and after 30th June, 1796, private citizens, possessing no naval rank whatever—that their naval functions, prerogatives and privileges ceased together, and could not lawfully be resumed without appointments *de novo* being spe-

*Barry, Nicholson, Talbot, Dale, Truxtun, Sever.

cially conferred upon them—that *he* had never been out of service for one moment since 1794, and was therefore entitled to rank from that date—that *they* were renominated to the Senate in 1798, and could only rank from the day the Senate confirmed their renomination—that they could not be appointed in 1798, to take rank over an officer of the same grade, appointed in 1794, without violating principles recognized in every well regulated service, and degrading and dishonoring any officer over whom they should be so placed, and compelling him to resign his commission.

On the part of captains Talbot and Dale, it was urged, that the letter of June, 1796, was simply a *contingent suspension of their pay and emoluments*—that it did not revoke their original appointments—that they were not only allowed to hold their commissions, but held them with an intimation from the President himself, that *their services would be again required*: that under these circumstances they could not, consistently with their own honor, yield precedence to any officer however distinguished, to whom they were senior in rank by their original commissions: that their rank was deliberately decided by President Washington, in 1794—and that the question of rank between them and captain Truxtun had not been in any degree affected by any subsequent services rendered or withheld on the part of either.

The question being considered of a character involving points highly important as regarded the interests of the navy, met due deliberation, and previous to its being acted on, was referred to general Hamilton, who gave it as his decided opinion, that neither Talbot nor Dale could serve with honor under Truxtun, since doing so would change the order of their antecedent relations, and place the superior in rank in a state of subserviency to the inferior, and that on the score of expediency, if either party must resign, the state had better lose *one*, than *two* valuable officers. He was equally decided in the opinion, that in no view could the honor of Truxtun be in any degree affected by serving under Talbot or Dale. It is to be regretted that the letter expressing these opinions, shared the fate of many other valuable documents, in being burnt by the British in 1814, as the view he took of the subject was both luminous and conclusive.

Mr. President Adams also considered this a question of interest, and gave it an attentive examination, as will be seen by the following extract of a letter from him, dated June, 1799, (all that remains in the public archives on this subject.)

"In the case of captain Talbot, I am perfectly clear in my own mind, that he has been a captain in the navy of the United States, from the time of his appointment in 1794 to this hour; that a legal title and estate in his office was then vested in him, and that he has never been divested of either. The suspension of his pay and subsistence was no deprivation of his of-

fice, any more than shaking off the apples is cutting down the tree.

"The principle is well known and established in a multitude of cases, suspensions of the functions are no deprivations of the offices. President Washington made a distinction at the time, and instead of discharging or dismissing captain Talbot from his office, or annulling his appointment, only informed him, that in consequence of an act of Congress, his pay and subsistence must be suspended or must cease, but at the same time expressed his hope, that he would be ready to engage in the service when he should be called. Had President Washington continued in office, he might have given Talbot the command of a ship, and ordered him his pay and subsistence without a fresh nomination to the Senate, and so might the successor to the office of President. Nothing can be inferred from my nomination of him, but my desire to give satisfaction to the Senate and the public. Had the Senate refused their advice and consent, I might have desisted from my intention of employing him, but the repetition of their consent, is certainly no diminution of his title."

"Far be it from me to depreciate the merits, services, or talents of captain Truxtun. I respect, I esteem, I love the man. His gallant behaviour and splendid conquest of the Insurgente have won him laurels, which I hope he will live to wear for many years after I shall be no more.—But his meritorious conduct makes no alteration in my judgement, in the state of this question. It is no more argument for promoting him over Talbot, than it is for promoting him over Barry and Nicholson.

"I should regret sincerely and extremely, the loss of captain Truxtun, to the Navy of the United States, and I confidently hope that he will not think of a resignation. Talbot cannot descend without loss of reputation. Truxtun stands on safe ground and will lose no character by not rising."

When this decision was communicated to captain Truxtun, he expressed his dissatisfaction, and sent in his resignation. He had, while the question was pending acquired additional laurels in the capture of the Insurgente, and had rendered other essential services, in convoying and protecting our trade.—The President hesitated to accept the resignation of an officer he appreciated, and whose character and talents were of known value to the nation. He therefore directed his commission to be returned to him, with the expression of the hope he entertained, that he would re-consider the subject.

Captain Truxtun finally decided to re-accept his commission. General Hamilton and Mr. Stoddert were, it is understood, instrumental in producing this decision; but even their interference would, perhaps, have been unavailing, if the nation had been at peace. Having acquired fame, and as the

world thought, wealth* in the service, he felt that in a time of active hostilities, he could not quit it without subjecting himself to unmerited imputations.

We have been thus prolix on this subject as it was one which created much excitement at the time, among the personal friends of both parties, as will be remembered by many of my readers. It was a question which could only have occurred in the infancy of our navy, and before those general rules were adopted, so necessary to regulate rank, as well as to secure the permanence and harmony of the naval system.

*In this the world erred—it being now well known to the contrary.

CHAPTER XVI.

Legislative provisions for sick and disabled seamen—General fund for seamen in public and private service, established—Secretary of the Navy recommends a separation of the fund, and additional provisions—Rations of seamen more than equal to expenses for wine, liquors, &c.—Navy Hospitals established—Legislative provisions upon the subject—Funds separated—Permanent asylum—Hospital money paid by the Navy, from 1st September, 1799 to 26th February, 1811—State of the general fund at that period—Hospital money paid from the 26th February, 1811, to 30th September, 1819—Probable unexpended balance, 30th September, 1822—Bill to amalgamate the funds, passed by the Senate—Its inexpediency—Bill rejected by the House of Representatives—Reflections—Opinions of Commisioners of the Navy—Report of Commissioners of Hospitals, January, 1823—Observations.

NAVY HOSPITALS.

By act of 16th July, 1798, every seaman employed on board a merchant vessel of the United States was directed to be charged at the rate of twenty cents per month, to be deducted from his pay by the master or owner of the vessel on board which he should be serving; and paid to the collector of any port in the United States, where such vessel should arrive. The collectors were required to make quarterly returns of the same so collected, to the Secretary of the Treasury; and out of the funds thus raised, the President of the United States was authorized to provide for the temporary relief and maintenance of sick and disabled seamen. If any surplus should remain, after providing such relief, it was to be invested in stock of the United States; and when a sufficient sum should be thus accumulated, the President was authorized to purchase or receive cessions or donatious of ground or buildings, to be erected as hospitals for the accommodation of sick and disabled seamen.

The President was further authorized to appoint directors to superintend the expenditure of the fund assigned for their respective ports: such directors to account quarterly to the Secretary of the Treasury: no allowance to be made to them, except the payment of such expenses as they should incur in discharging their duty.

The law further directed, that the money collected in any one district should be expended within the same.

By act of 2d March, 1799, the Secretary of the Navy was authorized and directed to deduct, after the 1st September, 1799, from the pay of the officers, seamen, and marines of the navy, thereafter becoming due, twenty cents per month, and to pay the same, quarter yearly, to the Secretary of the Treasury, to be applied to the relief of sick and disabled seamen of the United States; and the officers, seamen, and marines were entitled to the same benefits and advantages, from this fund, as seamen of the merchant service were. The law directed the expenditure of the fund to be made within the state wherein the same should have been collected, or within the state next adjoining, except that collected in New-Hampshire, Massachusetts, Rhode-Island and Connecticut.

By the act of 3d May 1802, amendatory of the act of 16th July, 1798, it was declared, that all the money then unexpended, and thereafter to be collected, under the authority of existing laws, should constitute *a general fund* "for the benefit and convenience of sick and disabled seamen," to be used and employed in the discretion of the President of the United States, for that purpose, reserving fifteen thousand dollars thereof, to be applied to the erection of a hospital in the district of Massachusetts.

This act further made provision for the relief of sick and disabled seamen, at or near the port of New-Orleans, imposed twenty cents per month upon boatmen going down the Mississippi, and entitled them to relief from the fund; and it authorized sick foreign seamen to be admitted into the hospital, at seventy-five cents per day.

Thus a general fund was established, applicable indiscriminately to the relief of every description of seamen belonging to the United States.

The propriety of providing for the relief of sick and disabled seamen, whether of the merchant service or of the navy, has never been questioned. Such a provision is urgently recommended by every consideration of sound national policy; but the provisions of the above recited laws were found to be very inconvenient in practice, unjust, because unequal, in their operation, and productive of great discontent in the navy, seriously impairing its efficiency.

Several year's experience of these evils suggested the necessity of modifying the existing laws, so far as to separate the funds drawn from the officers, seamen, and marines of the navy, from those drawn from the seamen in the merchant service, allotting for the relief of each class the amount each should contribute. Accordingly, on the 22d February, 1810, the honorable Mr. Hamilton, then Secretary of the Navy, in a letter addressed to the honorable Mr. Bassett, chairman of the Naval committee of the House of Representatives, invited his attention to this subject, and suggested a separation of the two funds, and an extension of the system of relief.—The following

extracts from this letter, will show the views at that time entertained upon this interesting subject:

"As a fund for the relief of sick and disabled seamen, the Secretary of the Navy is required to deduct from the pay of each officer, seaman, or marine, belonging to the navy, twenty cents per month; and to pay the same quarter annually into the Treasury, to be applied under the direction of the President of the United States. The amount thus deducted and paid into the Treasury, is fifty-five thousand six hundred and forty-nine dollars and twenty-nine cents; and there is a considerable sum deducted, but not yet paid in; and yet none of the *officers*, and but very few of the navy seamen, have received any benefit from it.

"By law the like deduction of twenty cents per month is made from the pay of each seaman in the merchant service; and the whole fund thus raised, is applicable, indiscriminately, to the relief of officers, seamen, and marines of the navy, and the seamen of the country generally.

"The inconveniences and embarrassments which arise from the placing of persons engaged under military laws in the public service, in hospitals, where no such law exists, have escaped the attention of Congress. In the few cases which have existed of navy seamen being sent to such hospitals, experience has proved that the commanding officers of the ships from which they were sent, could never get returns made to them; and, that on an average, three out of five have deserted, as soon as they got in a convalescent state. Hence the propriety of having distinct establishments for the relief of sick officers, seamen and marines of the navy. Let the fund drawn from the seamen in the merchant service be appropriated for the relief of seamen in that service; and let the fund deducted from the pay of the officers, &c, of the navy, be appropriated exclusively for them.

"If such a law existed, and the supplementary provisions hereafter suggested were authorized, there might be, in a very short time, six capacious hospitals established, in which all the sick of every description of the navy, might be comfortably nursed; all the wives of seamen killed in action, might be supported; all their children supported and educated: and young men just entering the service as midshipmen might acquire the invaluable knowledge of the theory of navigation, lunar observations, and naval tactics, without costing the public a single cent. If doubts should be entertained as to the capacity of the means to accomplish these important and highly interesting objects, they may easily be removed by actual demonstration.

"In addition to the twenty cents per month, let funds be raised from such of the following sources as may be thought most advisable.

"1st. Let Congress declare by law, that all the balances due to deserters from the service should be forfeited, and thus applied.

"2d. That the balances due to seamen dying in the service, should be invested in funds, and the interest thus applied, until such balances should be called for by either the wives, children, or known legal representatives of the deceased.

"3d. Let the disabled person entitled to a pension make his election between going into a hospital for life, or receiving the pension allowed him by law. If he preferred going into a hospital for life, which many would do, then his pension to be applied towards the support of the hospital.

"4th. Let the balance at this time, or the unapplied amount of the money raised by deducting twenty cents per month from the pay of the officers, &c. of the navy, be thus applied.

"5th. Instead of twenty cents per month, fifty cents might be deducted from the pay of the officers, seamen, and marines, who, it is confidently believed, would cheerfully consent to a deduction of one dollar per month from their pay, if they knew that the amount was to be applied *exclusively to their benefit.*

"6th. Let the rations of the seamen and marines, and one of the rations of each officer, while in hospital, be deducted and thus applied.

"7th. Let all mulcts of pay by sentence of courts martial, and all stoppages of grog for minor offences, be thus applied.

"8th. Let ten or fifteen per cent on slop clothing furnished the seamen be thus applied.—At this time, the sailor on board ship is furnished with slop clothing at from twenty-five to thirty-three and a third per cent less than he could purchase it for out of a slop shop; so that if ten per cent. on the present prices were added, the seamen would still get slop clothing from fifteen to twenty three and a third per cent less than he could buy it for out of a slop shop. Hence, he could not reasonably complain of the proposed addition, especially when he reflected, that the amount thus produced was intended exclusively for his benefit, and that of his brother seamen.

"In addition to these provisions, it will be recollected, that many of the officers necessary for the hospitals might be selected from among those disabled in the service, who would gladly serve without any addition to their pensions, excepting merely their board, the cost of which to the establishment would be very inconsiderable. There are now on the roll of pensioners, one captain of the navy, one lieutenant, one surgeon, one surgeon's mate, and a number of boatswains, gunners, sailmakers, serjeants of marines, cooks, &c.

"Further, it is presumed, that in or near the navy yards would be the most suitable places for the erection of hospitals.

In that case the commandants of the yards might be governors, ex officio, of the hospitals, without any additional pay whatever. With them the Secretary of the Navy would hold his correspondence upon all subjects in relation to the hospitals.

"The wives of seamen killed in the service, would make nurses and attendants on the sick, and do all the necessary sewing, washing, &c. and their children, with the pensioners and convalescents, might work the gardens.

"The persons having the immediate charge of the hospitals ought to be acquainted with navigation, &c. and have the qualifications of teachers; so that the children of seamen killed in the service, might, when not at work in the gardens, be taught reading, writing, and ciphering; and young men just entering the service as midshipmen, might be sent to the hospitals to be taught navigation, &c.

"If deemed expedient, eight or ten dollars per month might be deducted from the pay of midshipmen while studying navigation in the hospitals, and the amount might be applied towards paying the teacher; or, if more than sufficient, for that, towards defraying the general expenses of the hospitals. This would, indeed be learning them this valuable knowledge at less expense than they could possibly acquire it in any other way.

"To me it appears very clear, that the effects of such institutions would be happy indeed. The wretched sailor, covered with wounds received in the service of his country, might be saved the debasing employment of beggary: the woman widowed, the child orphaned, in the gallant achievement of the husband and father, might be rescued from wretchedness, probably disgrace: a body of men devoted, from gratitude, to the service of their country, would here be raised up; the benefits of education would be extended; a competition to be admitted into the public service would be excited; and the brave would be encouraged, and stimulated, without costing the public one single cent."

At the same time it was satisfactorily proved that the ration alone proposed to be deducted from every officer, seaman, or marine, while in hospital, was abundantly sufficient, indeed more than sufficient, to defray, (under proper regulations,) the expenses of every description of provisions, wines, liquors, &c. required for the sick in hospitals. Samuel R. Marshall, esq. a surgeon in the Navy, having charge of the hospital at New York, being at all times desirous of introducing every improvement in his department, and eminently calculated by his distinguished talents and zeal, to promote the best interests of the service, had of his own accord, kept a precise account of the expenses incurred in the hospital under his charge, for three months, and of the number of sick during the same period, and the following was the result of the experiment:

One ration per day deducted from each person sick in the hospital, at twenty cents per ration, amounted in three months to - -	$628 20
The expense of every description of provisions, &c. including pot-herbs, soap and candles, amounted to - - - - - - - -	301 57¼
Leaving a balance in favor of the hospital, in three months, of - - - - - -	$326 62¾*

With such information before them, the naval committee submitted a bill to the consideration of the House of Representatives, embracing most of the provisions recommended by Mr. Hamilton. Hence originated the act of Congress, entitled "*An act establishing Navy Hospitals*," which passed 26th February, 1811.

This act establishes a board of commissioners, by the name and style of "Commissioners of Navy Hospitals," to be composed of the Secretary of the Navy, Treasury, and War, for the time being; requires that all monies thereafter to be collected, by virtue of the act of 2d March, 1799, should be paid to them, and appropriates fifty thousand dollars, out of the unexpended balance of the marine hospital fund, to be paid to them; which, together, should constitute a fund for navy hospitals.

It requires that all fines imposed on navy officers, seamen, and marines, shall be paid to the commissioners of navy hospitals; that one ration per day shall be deducted from the account of each officer, seaman, or marine, admitted into the hospital, during his continuance therein, and paid to the commissioners; also, that the pension of any officer, seaman, or marine, admitted into a navy hospital, shall, during his continuance therein, be paid to the commissioners:

And it authorizes and requires thecommissioners to procure, "at a suitable place or places, proper sites for navy hospitals; and if the necessary buildings are not procured with the site, to cause such to be erected, having due regard to economy,

* The same gentleman lately produced and settled his accounts with the fourth auditor of the Treasury, from the 1st January, 1819, to the 31st December, 1822, a period of four years, from which the following is taken.

Admitted into the hospital at New York, during the period above stated, three hundred and forty-eight seamen, who, with the assistants, servants, porters, and washerwomen, employed at the hospital, were entitled to thirty-three thousand eight hundred and twenty-six rations, making - - - - - - - - - - - - -	$8,456 50
All the provisions and utensils cost - - - - -	7,256 79
Leaving in favor of the hospital - - - - - -	$1,199 71
And there were stores on hand amounting to - - -	319 30
So that the actual balance in favor of the hospital was	$1,519 01

and giving preference to such plans as, with most convenience and least cost, will admit of subsequent additions, as the funds will permit and circumstances require;" and it requires them, at one of the establishments, "to provide a permanent asylum for disabled and decrepid navy officers, seamen, and marines."

The amount of hospital money deducted from the pay of officers, seamen, and marines, in the service of the United States, from the 1st September, 1799, to the 26th February, 1811, (the date of the above recited law,) was as follows:

From 1st January,	to	31st December,	1800,	742	09	
1st	-	31st -	1801,	6,070	20	4-6
1st	-	31st -	1802,	10,429	60	2-6
1st	-	31st -	1803,	9,441	03	
1st	-	31st -	1804,	5,425	02	4-6
1st	-	31st -	1805,	3,396	10	1-6
1st	-	31st -	1806,	8,613	05	4-6
1st	-	31st -	1807,	6,088	78	
1st	-	31st -	1808,	4,592	60	
1st	-	31st -	1809,	2,069	11	
1st	-	31st -	1810,	2,062	63	
1st	-	26th February,	1811,	45	24	
				$58,975,	47	1-2

The whole amount of which was paid into the Treasury, excepting the sum of three thousand three hundred and twenty-six dollars and eighteen cents; so that, when the law of 26th February, 1811, was passed, there had been paid into the Treasury the sum of fifty-five thousand, six hundred and forty-nine dollars and twenty-nine cents.

By a report from the honorable Mr. Crawford, Secretary of the Treasury, to the President (28th February, 1820,) it appears:

That the whole amount of expenditures for the relief of sick and disabled seamen, of the United States, up to the 30th September, 1819, was - - - - - - - -	$1,050,404	92
That the receipts up to that period, under the act of 16th July 1798, including the amount received from the officers, seamen and marines of the navy, up to the 26th Eebruary, 1811, and including also, the sum of sixty-one thousand dollars, appropriated by special acts of Congress, in 1804, 1813, 1814, and 1815, were - - - - - - - - -	992,326	11
So, that on the 30th September, 1819, the expenditures exceeded the receipts into the Treasury - - - - - - - -	$58,078	81

But what was the state of this fund, when the law of 26th February, 1811, was passed, appropriating fifty thousand dollars "out of the unexpended balance of the marine hospital fund, to be paid to the commissioners of navy hospitals?"

By the same document we are informed,

That the amount received up to the 1st January, 1811, was		$574,744 49
That the "total expenditures" were	$462,125 27	
That there had been carried to the credit of the sinking fund, in 1804 and 1806	537 32	
And that on the 1st January, 1811, there was an unexpended balance of	112,081 90	
		574,744 49

As it is thus clear that the receipts up to the 1st of January, 1811, had exceeded the expenditures by one hundred and twelve thousand eighty-one dollars, and ninety cents, it is fair to presume, that from the first of January, to the 26th February, they were, at least equal; that the balance unexpended on the 1st January 1811, had rather been increased than diminished.

This conclusion, is further fortified by the fact, that the expenditures during the year 1811, for the support of sick and disabled seamen, in the merchant service, had exceeded the fund drawn from the seamen in that service, only two thousand five hundred and twenty-two dollars, and seventy-four cents; and that portion of this excess which accrued between the 1st January, and 26th February, 1811, could not have exceeded one sixth part of this sum, say four hundred and twenty dollars; and between these dates, the Navy contributed two thousand seven hundred and seventy-six dollars and ninety-five cents; so that to ascertain the unexpended balance on the 26th February, 1811, we take, first, the balance officially stated to have been unexpended on the 1st January 1811; then deduct therefrom, that portion of the excess of the expenditures beyond the receipts of the merchant seamen fund, arising between the 1st January, and 26th February; then add the amount contributed by the navy between those dates, thus:

Balance unexpended 1st January, 1811		$112,081 90
Deduct therefrom the excess above stated		420
		111,661 90
Add the naval contribution as above		2,776 95
Making the unexpended balance on the 26th February, 1811		114,438 85

Thus it will, we presume, be conceded by all, that the unexpended balance on the 26th February, greatly exceeded the amount appropriated, to be paid over to the commissioners of navy hospitals, viz. fifty thousand dollars; yet, it is a fact, which we have never seen satisfactorily accounted for, that this sum has never been paid over as directed by the law. It is, however, due to the fund, and we cannot but consider it as a part thereof.

The annual receipts of hospital money, by deductions from the pay of the officers, seamen and marines of the navy, from the 26th February, 1811, to the 30th of September 1819, are thus stated by the 4th auditor of the Treasury:

From 26th February,	1811,	to 30th September,	1811,	$1,582	50
1st October,	1811,	30th	-	1812,	4,777	89
1st -	1812,	30th	-	1813,	8,346	99
1st -	1813,	30th	-	1814,	14,240	56
1st -	1814,	30th	-	1815,	12,764	28
1st -	1815,	30th	-	1816,	16,004	09
1st -	1816,	30th	-	1817,	22,549	20
1st -	1817,	30th	-	1818,	14,278	30
1st -	1818,	30th	-	1819,	24,244	70
					118,788	42
And the expenditures for the same period are stated at - - - - - - - - -					6,153	35
Leaving an unexpended balance of - -					$112,635	07
To which add this sum, appropriated out of the unexpended balance, on the 26th February, 1811, - - - - - - - - -					50,000	00
Making the aggregate fund, on the 30th September, 1819, - - - - - - - -					$162,635	07

If the act of 26th February, 1811, had have directed the commissioners of hospitals, to apply this fund, when received, to the purchase of public stock, or had authorized its investment in stock, such would have been the accumulation, that it would. on the 30th September, 1819, have exceeded two hundred thousand dollars. But the act is defective. It not only makes no provision of this kind, but *it* requires an *immediate* application of the fund to the purchase of proper sites and buildings for the navy hospitals, and directs that at one of the establishments there shall be provided a permanent asylum for disabled and decrepid navy officers, seamen, and marines. It is imperative in all its provisions, and leaves nothing to the discretion of the commissioners, excepting the selection of the sites and the planning of the buildings; and with regard to the buildings, it directs a preference to be given to such plans as "will admit of subsequent additions."

The commissioners, soon after the passage of the law, had several meetings. It was at one time contemplated to erect one of the hospitals in this city, and to make it the asylum directed by the law. They had several sites surveyed, and employed Mr. Latrobe, a distinguished architect, to prepare a plan of the buildings. Doctor Cutbush, one of the ablest surgeons and physicians in our service, and who had great experience in hospitals, submitted, by request, a plan of his, and doctor Marshall also produced a plan, both of which were highly approved, and the friends of the navy indulged the hope of soon seeing a Greenwich commenced in our city; but on examining the funds, they were found to be inadequate to the commencement of the objects proposed, upon any thing like a national scale, the whole amount being less than sixty thousand dollars. Hence it was determined to suspend all proceedings, until the funds should have accumulated to such an amount as would justify a commencement.

The ammount which accrued to this fund, from the 30th September, 1819, to the 30th Sept. 1821, is thirty-two thousand eight hundred and ninety-six dollars and seventy-four cents; and the expenses incurred within the same period, amount to four thousand, four hundred and ninety-nine dollars and fifty cents, leaving the sum of twenty-eight thousand three hundred and ninety-seven dollars and twenty-four cents, to be added to the balance remaining unexpended on the 30th September, 1819, viz: one hundred and sixty-two thousand six hundred and thirty-five dollars and seven cents; so that the actual balance on hand, on the 30th September, 1821, was one hundred and ninety-one thousand thirty-two dollars and thirty-one cents; and if the succeeding year was equally productive, which there is no reason to doubt, the balance unexpended on the 30th September, 1822, must have exceeded two hundred thousand dollars.

If this fund, and that hereafter arising, were to be invested in public stock, it would in a very few years be sufficient to enable the commissioners to accomplish the beneficent purposes of the law, upon a scale honorable to themselves, and gratifying to every patriot and philanthropist in the Union. They would thus be enabled, at an early period, to carry into full effect, "the wise and humane system contemplated by the act establishing navy hospitals," and gratify their own benevolent feelings upon the subject.

During the session of 1818, 19, a bill passed the Senate of the United States, proposing the *repeal* of so much of the law of 26th February, 1811, as seperates the navy hospital from the marine hospital fund; the levying of thirty-five cents per month, on each seaman in the merchant service, and on each officer, seaman, or marine, in the navy; a deduction of one ration per day from each officer, seaman, or marine, while in

hospital; and also, that the pensions, where they were entitled to any, which should accrue during their continuance in the hospital, should be paid over to the "Commissioners of Marine Hospitals." Among other provisions, calculated to carry those above mentioned into effect, was one proposing the re-union of the two funds, so as to form a general fund, applicable to all those from whom it was to be drawn, indiscriminately.

The repeal of that feature in the law of 26th February, which directs the establishment of a permanent asylum, was recommended about the same period.

The ostensible grounds upon which these modifications were recommended, rested upon the alledged inadequacy of the funds while separate, to accomplish the purposes contemplated by the existing laws, and of the competency thereof if united.

There is a degree of plausibility and ostensible fairness in the proposition to amalgamate these funds, that would be very apt to deceive upon a superficial view of the subject; but we incline to the opinion, that an attentive examination of the principles involved in the question, and the effect, which would probably result from such an amalgamation, would satisfy us of its impolicy, and we might also add, injustice.

To place navy seamen and merchant seamen, together in the same hospital, governed as they are by different laws, acting under engagements dissimilar in many essential respects, would surely have a tendency to produce confusion and discontent. Relax the military law, with regard to the navy seaman, and if he happened to have offended before he was sent to the hospital, or should be in debt to the United States, he would avail himself of some of the frequent opportunities which would exist, to desert, that he might avoid the punishment due to his offence, or the payment by his services, of the debt owing to the government. Extend the military law to the merchant seaman, and he would naturally ask why am I placed under military law, when I am not engaged in the public service? I paid my twenty cents per month as a seaman in the merchant service, and as a seaman in that service, I must receive the benefit. Is it because I am now sick and feeble and unable to take care of myself, that I am to have laws imposed upon me, enforcing the rigid rules of naval subordination, and discipline, when I never was in the navy and never subscribed to the navy shipping articles? It is not in the nature of man, to be satisfied under such circumstances. The attempt to combine such discordant elements in harmony will not, we trust, be again made; should it be, it requires no supernatural skill in prophecy to predict its certain failure.

On the score of justice, the proposition bears in our conception, the most revolting aspect.—Admit the inadequacy of the funds as regards the merchant seamen; admit that the sum drawn from them, is insufficient for their support while sick,

still, *they have had the benefit of every cent they ever contributed.* But the fund drawn from the officers, seamen and marines of the navy, is fully sufficient to support *them* when they shall be sick, and taken to hospital, and they are as liable to sickness as merchant seamen. The reasons why the funds are insufficient in the one case, yet fully sufficient in the other, may be found, it is probable, partly in the different modes of administering them; but mainly and substantially in the facts, that the *officers* of the navy, and of the marine corps who have always regularly contributed their portion whether on full or half pay, in service or on shore, have not, since their contributions commenced, drawn from the fund one solitary dollar:* that the seamen in the navy contribute for years together without any abatement while they are sick and in hospital; whereas the merchant seamen, who are not so constantly on board ship seldom pay for more than nine months in the year, and frequently not so much—and while in hospital they are not, like navy seamen, always liable to the contribution. It is probable, that on an average, where the navy seaman pays two dollars and forty cents per annum, the merchant seaman does not pay more than one dollar and fifty cents, although his pay per month exceeds that of the navy seaman. But the seamen in the navy are not only constantly contributing their twenty cents per month while they are in service, but they contribute also, twenty-five cents per day to the fund, while they are in hospital. If a navy seaman should have been disabled in the line of his duty, so as to entitle him to a pension, although he may have regularly contributed to the fund for the twenty previous years, yet he must assign over that pension for the time being, to the commissioners of navy hospitals before he can be admitted.

These obvious inequalities in the contributions of the two different classes of seamen, have produced corresponding differences in the state of the two funds. Thus, while the navy fund had on the 30th September, 1819, an unexpended balance of one hundred and sixty-two thousand six hundred thirty-five dollars and seven cents, the expenditures on account of the marine hospital fund had, including the fifty thousand dollars due to the navy fund, exceeded the receipts one hundred and eight thousand seventy-eight dollars, and eighty-one cents.

Under these circumstances the proposition to amalgamate the two funds was made; but happily for the navy, happily in our opinion, for the best interests of the country, it was rejected by the House of Representatives.

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*The amount contributed by the *officers*, averages one thousand nine hundred and twenty dollars per annum, for twenty-four years, making the whole amount contributed by them, up to 1st January, 1823, forty-six thousand and eighty dollars.

Without intending the slightest disrespect to the very honorable distinguished and enlightened body, in which this bill originated and passed, we put it to their deliberate judgments to say, whether such proposition was more reasonable or just than would be a proposition from a bankrupt to a wealthy man, first to pay all his debts, and secondly to take him into copartnership, not upon equal terms, but upon terms operating in every possible view to his injury and tending inevitably to his extreme embarrassment, if not ruin! and we would further respectfully ask, what would be the feelings naturally arising in the bosom of this wealthy man, if an attempt were made to force these terms upon him, destroying thereby the harmony of his household, and wasting that provision which he had providently secured against the day of sickness and distress?

The motives of the advocates of this proposition were unquestionably just. We have the honor of being acquainted with some of them, who justly rank among the most high minded and honorable gentlemen—who would indignantly reject any measure they should believe to be unjust in principle or in effect—to them we would particularly appeal, whether it would not be an act of crying injustice to take from the officers of the navy and marine corps, a sum drawn from their scanty pay, for the avowed and express purpose of affording to them and their associates in the service, some relief, in the hour of sickness and distress—and to apply that sum, not to its legitimate object, not to their relief or benefit in any degree, but towards paying a balance due by a distinct class of citizens, whose contributions to their own peculiar fund, having been unequal to the expenditures for their peculiar benefit, have occasioned this balance against them? Would it not be a species of legislative robbery? and would it not be more just and magnanimous in Congress to appropriate, out of the public Treasury, a sum sufficient to cover this deficiency—and imposing at the same time an additional tax upon merchant seamen, so as to guard against such occurrence in future? Were the tax upon them thirty-five cents per month, they would in that case not pay more in proportion than the navy seamen pay—and their fund, like that of the navy seamen, would then be ample for their relief in sickness.

The following extracts of a communication made by the Commissioners of the Navy, to the chairman of the naval committee of the House of Representatives, at his request, on the 13th February, 1819, when the bill from the Senate was under consideration, sustain the views taken upon this subject, upon all the points to which they relate:

"The commissioners cannot but feel much diffidence in expressing any objection to a bill which has passed the Senate of the United States; but as you have been pleased to request

their opinion, they proceed, with all the respect due to that honorable body to submit the following observations:"

The communication examines all the details of the bill, and thus proceeds:

"The Commissioners of the Navy, confess their inability to perceive any beneficial effects likely to result to the Navy, from withholding in any case the *pensions* allowed by law. Pensions are granted for wounds or disabilities sustained in the public service. The amount of the pension is, within certain limits, proportioned to the nature of the wounds or the degree of disability; and until the disability is removed, it is presumed the pension ought to continue.—In order to exemplify the hardship of withholding a seaman's pension, because, being sick, he is sent to hospital, let us suppose a case, and by no means an uncommon one—that he has a wife and children dependant on him for support—that his pension which cannot exceed half the monthly pay, barely enables him, with the utmost œconomy and with all the exertion his palsied limbs will admit, to keep himself, his wife and children, from actual want. Under such circumstances, he is taken sick, and asks admission into a hospital. He is told, you can be admitted, but the law requires of you to give up your pension while you continue in the Hospital. The situation of such a man under such circumstances, is more readily conceived than described. He must choose between two evils, each full of horror.

"It may be said, that navy seamen, at this time, but seldom derive any benefit from the fund—for when sick, they are sent to our temporary hospitals, where they are supported and nursed by withholding their rations, and applying the amount to the purchase of nourishing diet, suited to their sick and debilitated condition.

"These temporary hospitals, situated generally near our Navy yards, cheerless and comfortless as they are, are yet preferred to the hospitals provided for the seamen in the merchant service. The men sent to them are under the charge of officers amenable to naval law—and who for misconduct or neglect of duty are liable to be tried by court martial and cashiered. Hence every possible care is generally taken of the patients, and they receive every comfort which inconvenient temporary buildings will admit.

"The officers of the Navy are, generally, more happily circumstanced. They have either homes of their own, or friends to resort to in case of sickness, and sometimes are able to pay for lodgings in a private house. They will not be found to complain, on their own account, altho' while they derive no benefit from the fund, they are, whether in service or not, on full or half pay, constantly contributing to it. They may, however, be pardoned their sympathy for those less fortunate, but not less worthy, who are placed under their

command, and who partake with them, of all the toils and dangers, as well as honors, incident to the naval service.

"While the navy commissioners would respectfully urge, as objections, in their opinion, to the bill: that its provisions are calculated to injure the naval service, by placing public seamen in a situation, where all would have an opportunity to desert, and many might avail themselves of it; or by subjecting them to confinement on board our public ships, when they should be removed to hospitals; by withdrawing the restraints of discipline and subordination; by associating two classes rendered entirely distinct by the laws under which they are respectively serving; by a tax operating with great and obvious inequality to the prejudice of navy seamen, and furnishing comfort in an inverse ratio to the contributions, and thus producing discontent, and rendering the service objectionable, without any equivalent advantage to the navy, they would, on the other hand, with great deference, express the opinion, that the provisions of the act entitled "an act establishing navy hospitals" passed February 26th, 1811, constitute a fund, in itself sufficient to establish hospitals for the use of the navy, and furnish them with every requisite convenience for the comfortable accommodation of the sick and disabled seamen of the navy: that in hospitals appropriated exclusively for the navy, the existing laws and rules would be enforced equally as on ship board; discipline and subordination would be preserved; every useful and necessary restraint would be kept up; no cause of discontent would exist; the sick would be placed in the charge of responsible officers of the navy, receiving only the pay prescribed by law; and no heterogeneous materials being mixed together, the harmony of the whole navy system might be effectually maintained.

"If contrary to the opinion of the navy commissioners, the contributions heretofore made under existing laws, and now making by the officers, seamen and marines of the navy, should be found insufficient to commence a system of navy hospitals, commensurate with the proposed navy establishment, it must become a question of national policy, whether it would not be expedient to apply the funds already accumulated, and those which may hereafter be collected, to the purchase of stock, investing the interest as well as the annual contributions, as they shall be received; and thus producing the effect of compound interest, so as to ensure an ample fund in a short period of time; appropriating annually, as heretofore, a small sum to support the present temporary hospitals, till the period shall arrive when the fund will admit of permanent national hospitals.

"The annual contribution at this time, of the officers, seamen, and marines of the navy, arising from the twenty cents per month, levied upon them, exceeds ten thousand five hundred dollars."

Since writing the above, the following report from the commissioners of the navy hospitals has fallen into our hands:

"NAVY DEPARTMENT, January 6th, 1823.

"SIR—In compliance with the resolution of the House of Representatives, of the 20th December last, the Commissioners of Naval Hospitals have the honor to report a statement from the Fourth Auditor of the Treasury, showing the amount of the sums due the Naval Hospital Fund, and the balance of that Fund which remains to be applied in conformity to the provisions of the act of the 26th of February, 1811, entitled "An act establishing Naval Hospitals."

For further information relative to the state of this Fund, the Commissioners beg leave to refer to their report of the 21st of December, 1821, and the several reports therein mentioned.

Since the statement made by the Fourth Auditor, accompanying this report, the sum of twenty-four thousand one hundred and thirty one dollars and forty cents, being the amount accruing to this fund, from the first day of October, 1821, to the 30th day of September, 1822, has been drawn from the appropriation of the Pay of the Navy and Marine Corps, and carried to the credit of the Hospital Fund, which leaves in the hands of the Commissioners, forty-three thousand three hundred and thirty-five dollars and eighty seven cents, to be applied according to the provisions of the act of 1811.

Agents have been employed to examine and select suitable sites for Hospitals. Their report has not yet been received, and the Commissioners cannot say with certainty, what has been done on the subject; it is, however, believed, that, during the present year, they will be enabled to purchase several sites, and commence the buildings necessary for the establishments. The progress, however, must necessarily be slow for the want of funds: Had the Commissioners the whole amount due the Hospital Fund placed at their disposal, they would soon be enabled, in a great measure, to carry into effect the wise and humane objects contemplated in the act of 1811. As this sum has been absorbed in the Pay of the Navy, and the annual appropriation for that purpose thereby diminished, it is respectfully submitted to the consideration of the House, whether justice does not require that this Fund should be made good, and applied without delay to the establishment of Naval Hospitals.

All which is respectfully submitted.

SMITH THOMPSON,
Secretary of the Navy.
WM. H. CRAWFORD,
Secretary of the Treasury.
J. C. CALHOUN,
Secretary of War.

The Honorable the SPEAKER
of the House of Representatives.

Dr. NAVY HOSPITAL FUND. Cr.

To warrants on the Treasurer for $4,190, dated November 29th, 1821, in favour of Thomas T. Tucker, Agent for the Navy Hospital Fund,	$19,204 47	By balance standing at the credit of Navy Hospital Fund, per report of 15th November, 1821, - - -	$144,815 17 5/12
Balance due to the Navy Hospital Fund,	149,742 10 5/12	By amount of credits, from the 1st of October to 31st December, 1821, inclusive, - - - - - -	111 06
		By ditto, from the 1st January to the 31st March, 1822, inclusive, -	4,247 32
		By ditto, from the 1st April to the 30th June, 1822, inclusive, - -	8,813 36
		By ditto, from the 1st July to the 30th of September, 1822, inclusive,	10,959 66
	$168,946 57 5/12		$168,946 57 5/12

By balance brought down, - - $149,742 10 5/12

TREASURY DEPARTMENT,
Fourth Auditor's Office, 19th Nov. 1822.

CONST. FREEMAN,
Fourth Auditor.

This report discloses facts of a very embarrassing nature—Although, exclusively of the fifty thousand dollars, appropriated by act of 26th February, 1811, the funds had nominally accumulated, so far as to leave an unexpended balance on the 30th September 1822, of one hundred and forty-nine thousand seven hundred and forty-two dollars and ten cents; (thus completely verifying the hypothetical statement, previously made in this chapter;) yet the balance on that day, in the hands of the commissioners, was only forty-three thousand three hundred and thirty-five dollars and eighty-seven cents.

It appears, that the difference betwen the ostensible and the actual disposable balance had been "absorbed in the pay of the navy." It was deducted from the pay of the officers, seamen and marines; but the appropriation for the pay and subsistence of the navy for the previous years, being insufficient for the pay of the navy, without this deduction, the amount could not be drawn from that appropriation, and placed at the disposal of the commissioners of Navy Hospitals, as contemplated and directed by the act of 26th February, 1811. Under these circumstances the commissioners submitted "to the consideration of the House of Representatives, whether justice does not require that this fund shall be made good."

This proposition involves the necessity of an appropriation, equal to the sum drawn from the contributors, say one hundred and six thousand four hundred and six dollars and twenty-three cents, to which the sum of fifty thousand dollars appropriated by the act of 26th Feb. 1811, but never paid over to the fund [although, as has been heretofore clearly shown, there was an unexpended balance of more than one hundred and fourteen thousand dollars, out of which to pay it] ought to be added, making the whole amount necessary to be appropriated, one hundred and fifty-six thousand four hundred and six dollars and twenty-three cents.

It is presumed that Congress will, at their next session, appropriate this sum; otherwise obvicus injustice will have been practised towards the fund.

When it is considered that this fund has been drawn from the officers, seamen and marines of the navy, for the express purpose of providing hospitals for *their relief*; it will never, it is hoped, be contended, that they are not entitled to the relief, for which they themselves have *actually paid.* If the object for which the money was paid, were to be defeated, by its application to any other than the *avowed* object:—If Congress were to refuse to replace the money thus paid, after it had been taken, *without the consent of the contributors*, and applied to another object than that for which it was originally intended and expressly drawn, would not an application, from those who paid it, *for its repayment to themselves*, be sustained by the clearest principles of law and justice?

The United States contract with every individual who enters the navy, that they will give him so much per month for his services, and that out of his monthly pay they will deduct a certain sum, to be applied to his relief when sick; can they, without violating their contract, apply the amount thus deducted, to any other than the specific object avowed and recognized in the contract?

Hence, the grounds upon which it may be confidently calculated that Congress will at their next session replace, by an appropriation, the whole amount of the money which has been paid by the officers, seamen and marines of the navy, for the erection of navy hospitals, &c.

CHAPTER XVII.

NAVY PENSION FUND.

Creation—Management and application of the fund—Inexpediency of repealing certain provisions of the act of 2d March, 1799—Accountability—Recovery of money due—Secretary authorized to be appointed—Defects in existing laws—Relief extended to widows and children—Additional legislative provisions—Extension of relief to widows, &c.—General provisions—Title to, and how to obtain, a pension—State of the fund, before the war of 1812—Increase by the war—General state—Fund amply sufficient—Question as to a further extension of relief to widows, &c.—Accumulation from interest in eight years—Loss by investment in bank stocks.

NAVY PENSION FUND.

This fund was first established by the act of 2d March, 1799, entitled, "An act for the government of the Navy of the United States," [see sec. 8, 9, 10.] This act, was however, repealed by the "act for the better government of the Navy," passed 23d April, 1800, which provides:

1st. With respect to the *creation of the Fund*, that all captured vessels, of force inferior to the vessel or vessels making the capture, shall, together with the goods and effects found on board of them, when adjudicated and condemned as good prize, be divided equally between the United States and the officers and men making the capture; and that the money thus accruing to the United States "shall be and *remain forever, a fund for the payment of pensions, &c.*"

2d. With respect to the *management of the fund*, the law provides, that it shall be under the direction of the Secretary of the Navy, the Secretary of the Treasury and the Secretary of War, for the time being, who are authorized to receive the moneys accruing, and to employ and invest them, with the interest arising therefrom, in *any manner* which a majority of them may deem most advantageous.

3d. With respect to the *application of the fund*, the law provides, that every officer, seaman or marine, disabled in the line of his duty, shall be entitled to receive for life, or during disability, a pension according to the nature and degree of his disability, not exceeding one half of his monthly pay. And while the law on the one hand, pledges the faith of the nation to

make good any *deficiency* in the funds, it authorizes, on the other, the application of any surplus that may exist, to the making of further provision for the comfort of disabled officers seamen and marines, and of such as, though not disabled, may merit by their bravery, or long and faithful services, the gratitude of their country.*

The law of 1799, entitled any officer, seaman, or marine, disabled in the line of his duty, to receive, *for his own life* and *that of his wife*, if he was a married man, at the time of receiving his disability, one half his monthly pay; and it directed that the monies belonging to the fund should be invested in six per cent stock, or other stock of the United States.

The policy of repealing these provisions of the law of 1799, was seriously questioned at the time the repealing law was passed, and subsequent experience has fully sustained the arguments then urged against their repeal. In a memoir upon navy subjects generally, a particular friend, in the year 1800, thus adverts to the proposed repeal. "Has not the fund out of which these pensions are to be paid, been created by the valor and vigilance of the Navy? The existing law does not contemplate the course pursued in other maritime countries, where pensions are paid out of the public treasure. It promises, to be sure, to make good any deficiency that may exist in the funds—but it does not seem to contemplate seriously any deficiency.—It rather presumes upon a surplus, and declares how it may be disposed of. The idea of any deficiency existing can scarcely be entertained by any individual conversant with the character of our seafaring citizens—There will be a surplus—a large surplus—Why then deny to poor Jack a pittance of his own earning for the life of his wife? Why measure, with such scrupulous nicety, the extent of his scars? Why probe so deeply to ascertain how far the bullet has pierced his body? He must be a disabled man before he can get a cent of this money—and when disabled, is five or six dollars per month more than a just government, a grateful country, ought to allow. Is it stretching gratitude too far, to say, that when poor Jack shall have "gone aloft," his wife shall inherit this pittance during her life? or must she inherit his glory, in beggary and wretchedness?

*By the "act providing a naval armament" passed 1st July, 1797, (the duration of which was limited to one year, and thence to the end of the then next session of Congress,) it was provided, that any officer, non-commissioned officer, marine, or seaman, belonging to the Navy, who should be wounded or disabled, while acting in the line of his duty, should be placed on the list of invalids, at such rate of pay, and under such regulations, as should be directed by the President of the United States. The rate of pay of such commission or warrant officer, not to exceed half the monthly pay of such officer, at the time of his being so disabled or wounded; and the rate of compensation, to non-commission officers, marines and seamen, not to exceed five dollars per month.

"When I speak of a surplus, I desire to be understood as meaning, that if the provisions of the existing law, which restrict the commissioners to the purchase of United States' stock, be not changed, then there will be, if we have our portion of war, a surplus—a large surplus; but if this restriction be removed, if the commissioners be, as is proposed by the bill, allowed to invest the funds *in any manner*, they may think best, I shall not calculate with such confidence upon a surplus. They may invest in bank stock, and if they turn brokers, and stock jobbers, they may in time, possibly, double their capital; but if they be not eternally upon the watch, they may sink the whole—I have no confidence in banks generally. The old North America and some others may be good."

The repealing law was, however, passed—but a few years experience suggested the necessity of additional regulations, in order to establish a system of accountability for the monies received on account of this fund. Early in the year 1804, certain defects in the existing law were pointed out by the Secretary of the Navy, and remedies were provided by the law of 26th March, 1804, entitled "An act in relation to the Navy Pension fund," which declared

That the Treasurer of the United States should receive all the money accruing to the Navy Pension fund, and disburse the same upon the warrants of the Secretary of the Navy, countersigned by the Accountant:

That the Accountant should receive and settle all accounts in relation to the fund—

It authorized the Comptroller to direct suit for the recovery of any sum due to the United States, or thereafter becoming due.

The commissioners of the fund, to appoint a secretary, to perform all such duties, in relation to the fund, as they should require of him, and limited his salary to two hundred and fifty dollars per annum; and it further authorized them, to make such regulations, as might appear to them expedient, for the admission of persons on the roll of navy pensioners, and for the payment of pensions.

In the year 1810, (22d February,) the Secretary of the Navy submitted to the consideration of the naval committee, of which Mr. Bassett was chairman, certain defects which experience had suggested, in the act of 23d April, 1800, as regards pensions.

The act declaring that in no case should the pension exceed half the monthly pay, and the power of regulating the pay of seamen and marines, being vested in the President, (by acts of 1st July, 1797, and 11th July, 1798,) who necessarily varied it from time to time, according to the general demand for seamen, and the pay given in private service—the half monthly pay was continually varying also, and producing discontent.—In the years 1798, '9, 1800, and 1801, the pay of seamen, was

seventeen dollars per month; in 1802, fourteen dollars, and in 1810 it was twelve dollars. The pay of the marines was early fixed at six dollars per month.

Thus, under the law of 1800, the half pay of the able seamen wounded in service, was sometimes eight and an half dollars, at other times, five, seven, and six dollars per month: that is, at these respective periods, the pensions could not, under any circumstances, exceed these allowances. The ordinary seamen, in the years 1798, '9, and 1800, received, fourteen dollars per month, and if disabled in the line of his duty, was entitled to seven dollars. Thus an ordinary seaman, wounded or disabled, at that period, received two dollars per month more than an *able* seaman, wounded in the year 1806.—And the private marine could not, however wounded or disabled, receive more than three dollars per month, which is three fifths only of the pension provided for the soldier in the land service; and the marine's pension is payable out of a fund which his enterprize contributed to raise, whereas, the soldier is paid out of the Treasury, by annual appropriation for that purpose.

To remove the existing and pernicious inequalities in the pensions of seamen of the same class, sustaining similar disabilities, and to place the marine on an equality with the soldier, the Secretary recommended a repeal of so much of the act of 23d April, 1800, as related to the pensions of seamen, and marines, and that a provision be substituted, declaring that the pensions of able seamen, should not exceed ten dollars per month; that of ordinary seamen, and boys, six dollars per month; and that of a non-commission officer, musician or private in the marine corps, five dollars per month; thus leaving it to the discretion of the commissioners of the fund, to graduate the compensation by the degree of disability sustained, and other circumstances, confining them, however, to ten dollars per month, for able seamen, and six dollars for ordinary seamen and boys, for the highest disabilities.

None of the provisions of the act of 1800, were however, in any degree modified or enlarged, until the 20th January, 1813, when "an act providing navy pensions in certain cases," was passed, which authorized

The widow, or if no widow, the child or children, under sixteen years of age, of any *officer* of the navy or of marines, killed in battle, or wounded in the line of his duty, so as to occasion his death, to receive half the monthly pay, to which the deceased was entitled, at the time of his death—the allowance to continue for five years. The widow dying or intermarrying before the expiration of the five years, then the half pay, for the remainder of the term, to go to the child or children of the deceased, but to cease at their death.

By the Act of 4th March, 1814, the same provisions were extended to the widows and children, of seamen and marines.

killed in battle or receiving wounds to occasion their death: to take effect from the 18th June, 1812, and embrace all cases occurring since that period.

Mr. Secretary Crowninshield, in a report to the House of Representatives, dated 5th January, 1816, observes:

"The act passed April 23d, 1800, (section 8,) limits the pensions to be granted to officers, seamen, and marines, disabled in service to a sum not exceeding *one half* the monthly pay. This provision has in some cases, proved inadequate to the maintenance of disabled seamen and marines, particularly the latter, which cannot exceed three dollars per month. the extension of the law, so as to vest in the commissioners a discretionary power to allow in extreme cases, to the full amount of monthly pay, or otherwise to provide for the necessary subsistence of those who are totally unable to take care of themselves, would, it is believed, obviate causes of complaint, and reflect honor upon the liberality and justice of the national legislature."

This recommendation was received under more favorable auspices than that of Mr. Hamilton in 1810; and the navy owes to it the seventh section of the act of 16th April 1816, entitled "an act in addition to an act in relation to the navy Pension Fund," which authorizes the commissioners of the fund, in cases where half of the monthly pay, of an officer seaman, or marine, disabled in the service of the United States, should, in their opinion, from the nature and extent of the disability, and the situation of the party disabled, be inadequate to his necessary subsistence, to increase such allowance, in their discretion, so as not to exceed "the full amount of the monthly pay to which the party so disabled was by law entitled in the said service."

By the act of the 3d March, 1817, "to amend and explain," the act of the 4th March, 1814, it is provided, "that if any officer, seaman or marine, belonging to the Navy of the United States, shall die, or shall have died, since the 18th June, 1812, *in consequence of disease contracted, or of casualties or injuries received,* while in the line of his duty, and which shall be satisfactorily proved to the commissioners of the navy pension fund, leaving a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for the term of five years; but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the term, shall go to the child or children of the deceased: provided, that such half pay shall cease on the death of such child or children."

By the act of 16th April, 1818, entitled an act in addition to "an act giving pensions to the orphans and widows of per-

sons slain in the public or private armed vessels of the United States," it is provided, that where a person has been put on the pension list, by virtue of the act of the 4th March, 1814, for five years, the Secretary of the Navy shall be authorized "to allow the full monthly pension to which the rank of the deceased would have entitled him for the highest rate of disability, for the further term of five years, such pension ceasing on the death of such widow, child or children."

On the 3d March, 1819, an act passed providing that in all cases where provision has been made by law for five years' half pay, to the widows and children of officers, seamen, and marines, who were killed in battle, or died of wounds received in battle, or who died in the naval service during the late war, the said provision shall be continued for the additional term of five years in each case respectively, making the provision equal to ten years half pay—ceasing, however, as provided by the act of 20th January, 1813.

The several acts above recited, contain all the provisions made by law, for persons disabled or for the widows and children of persons, killed in battle, or dying in consequence of casualties or injuries received, or of diseases contracted in the navy service of the United States—They may be summed up in a few words:

Any officer, seaman or marine of the navy, for disability sustained in the line of his duty, is entitled to receive:

If sustained after the 2nd March, 1799, and before the 23d April, 1800, one half of his monthly pay, for his own life and *that of his wife:*

If sustained after the 23d April, 1800, a pension for life or during disability, according to the nature and degree of his disability, not exceeding one half his monthly pay; but under special circumstances, the commissioners of the navy pension fund, may, under the act of 16th April, 1816, grant to any disabled officer, seaman or marine, a pension equal to the full amount of the pay attached to his commission or station in service.

The provision of ten years half pay, for the widows and children of the officers, seamen and marines dying in service, extend to those cases of death, which occurred since the 18th June, 1812, and which grew out of the late war; but the provision for five years half pay extends to all cases that have occurred since 18th June, 1812, or that may *hereafter* occur, whether they arise from being wounded in battle so as to occasion death, from being killed in battle, or "from disease contracted or from casualties or injuries received, while in the line of duty."

In order to procure a pension for disability, a certificate from the surgeon of the ship, on board of which the disability was sustained, (approved by the commanding officer of the ship,) stating the nature and extent of disability, and when

and where sustained, must be produced to the Secretary of the Navy. And the fact of an individual dying in the line of his duty, from disease contracted, or from casualties or injuries received, or being killed in battle, must be sustained by a similar certificate, to entitle the widow or children to receive the provision made by law for them.

The identity of the person claiming a pension, either for disability, or for the loss of a husband or parent, must be clearly and satisfactorily proved by the most ample testimony.

On the 21st May, 1821, the Secretary of the Navy issued the following instructions for the government of navy pensioners:

"An act of Congress, approved the 3d of March, 1819, requires that an examination shall be had, biennially, of all invalid pensioners of the United States, except in cases in which the pension had been originally granted for a total disability, in consequence of the loss of a limb, or other cause, which cannot, either in whole, or in part, be removed.

"Notice is, therefore, hereby given, that each person disabled in the public or private armed vessels of the United States, to whom a pension has been granted, must, before the 1st day of January, 1822, and biennially, afterwards, submit himself to the examination of two surgeons, or physicians, those of the navy to be preferred, whose affidavit, stating the result of the examination, agreeably to the following form, must, together with the pension certificate, be transmitted in due time to the Navy Department, to enable the Secretary of the Navy to determine the proportion of pension proper to be allowed."

"FORM OF THE CERTIFICATE."

"We, the subscribers, surgeons *(or surgeon's mates,)* in the Navy, *(or practising physicians, as the case may be,)* do hereby certify, that we have carefully examined the state of disability of ——— ———, seaman, *(or as the case may be,)* who is a naval pensioner of the United States, and ascertained that

(Here describe the actual condition of the wound, or injury, for which a pension was granted.)

in consequence of which, we are of opinion, that the said ——— ———, is *(or is not,)* entitled to a continuance of the said pension, *(or a fourth, third, half, two-thirds, or three-fourths of the same.)*

Given under our hands, at ——, this —— day of ——, 18 —.

A. B. } *Surgeons*
C. D. } *U. States Navy.*

Sworn and subscribed before me, this ——— day of ———, 18 —.

E. F. *Justice of the Peace.*"

"I certify, that I am acquainted with the surgeons (*or physicians,*) who have signed the above certificate, and that they are reputable in their profession.

E. F. *Justice of the Peace.*

☞ Pensioners will please to communicate directly with the Secretary of the Navy, the employment of an agent being expensive, and totally unnecessary."

The state of the Navy Pension Fund, on the 1st January, 1813, when no payment had been made to its credit from captures since the declaration of war, in 1812, was:

public stock unredeemed. - - -	$120,998 09
bank stocks—nominal amount, -	82,600
balance in the Treasurer's hands, - -	4,249 24
balance in the hands of the agent for the purchase of stock, - - - - -	2,726 25
	210,573 58
The annual product was estimated at -	$12,500
And the annual amount of pensions was	9,287 20
So that the receipts exceeded the expenditures - - - - - -	$3,212 80
The amount received on account of captures made during the late war with Great Britain, was - - - - -	$577,578 90

And the following table shows the state of this fund, at different periods up to the 1st January, 1823.

	Unredeemed am'nt of public stock.	Nominal amount of bank stock.	Balance in the hands of the Treasurer.	Whole amount of aggregate fund.	Amount of pensions.				Whole amount of pensions.
					To disabled persons.		To widows & orphans.		
					No.	Amount.	No.	Amount.	
Jan. 1, 1816	537,653 81	91,600	115,770 91	745,024 70	219	16,355 20	33	4,192	20,547 20
1820	744,568 59	121,600	15,335 06	881,503 65	339	25,978	99	13,362	39,340
1822	762,792 05	121,600	7,349 84	891,741 89	371	28,390	120	16,098	44,888
1823	777,508 56	121,600	10,540 75	909,649 31	348	26,472	83	12,400	38,872

With regard to the productiveness of this fund, no precise calculation can be made, owing to the uncertainty of bank dividends. It is obvious from the above table, that the receipts considerably exceed the expenditures; and if the surplus of the interest arising from the public stock be invested quarterly, and that of the dividends of bank stocks semi-annually, as they are received, in public stock, it would probably be safe to calculate the whole annual revenue as equal to six per cent. upon the aggregate fund. This would yield an annual sum of

about fifty-four thousand five hundred dollars, or about fifteen thousand six hundred dollars more than the sum required for the payment of pensions; and it may be safely inferred that this surplus will continue to increase, in a proportion greater than the interest upon the annual excess of the receipts over the expenditures; since we find that the number of persons entitled to relief is diminishing—widows are marrying, and children are coming of age: these, with deaths and other casualties, are reducing the expenditures.

Another cause will shortly produce a reduction of thousands in the annual expenditures, if Congress do not interpose to prevent it.—The periods for which pensions to widows and orphans were granted, are expiring; and, in a short time all these pensions, now amounting to a sum exceeding twelve thousand dollars, will cease, unless Congress shall otherwise direct, and in that case there will be an annual surplus exceeding thirty thousand dollars; which, by continual annual accumulation, would shortly swell the aggregate fund to millions.

But it is to be hoped that the pensions to the widows and orphans of those officers, seamen, and marines, who have died serving their country will be continued by a special act of Congress. The fund is abundantly adequate; and it is not perceived in what way it could be so well employed, as in the alleviation of those calamities, which, like the fund itself, have their origin in that species of virtue essential to the preservation of the republic—heroic contempt of danger, and disregard of death, when duty calls.

In casting our eye over the list of widows and orphans, hitherto relieved by this fund, we perceive names which call into action the best and noblest sensibilities of our nature.

The orphan Blakely, on this list, rivets our attention—its father's virtues were best known to those who knew him nearest—In private life, the modest polished and benevolent gentleman: in his official character, the sternness of his discipline, was just so far softened by his kind and affectionate dispositions, as to lose none of its effect upon those who were placed under his command, and to make obedience to his orders rather a pleasure than a duty: in battle, the lofty points of his character were demonstrated by his deeds. Who can, with any degree of composure sustain the idea, that the day is coming, when this child, still in infancy, will have no other testimony of the *national* gratitude, but the gold medal awarded the father "for his bravery and cool intrepidity?"

Looking a little further down this list, we come to a name which excites unutterable emotions—Lawrence!! whose fate friend and foe lamented, and over whose early tomb the genius of chivalry mourned with millions of his countrymen!

His lofty patriotism—generous valor—noble enthusiasm, and exclusive devotedness to his country's service, will surely never be so far forgotten, as to permit her, who largely

shared, tho' probably less than his country, his tenderest affections, to memorialize in vain, for the continuance of a pension, so inconsiderable when compared to his deeds—With these sentiments, we can scarcely, however, reconcile the following report of the committee on naval affairs, on the petition of his bereaved widow, praying for a continuance of her pension:—

JANUARY 21, 1823.

"The committee on naval affairs, to whom was committed the petition of Julia Lawrence, praying for a continuance of her pension, and to whom was also committed a resolution on the same subject, report:—

"The Pension allowed by law to the widows and orphan children of deceased officers of the Navy of the United States, is limited to the term of five years; but by act passed on the 16th April, 1818, the term of five years more was added to the former period, by which pensioners comprehended within its provisions, enjoyed the advantage of the original law for a second period equal to the former. The petitioner has had the benefit of this extension, and her only remaining child is now arrived at an age when the necessary expense of her support is probably much less than when the pension was originally allowed. The second period is not yet expired; and though the committee duly appreciate the merit and bravery of captain Lawrence, the deceased husband of the petitioner, they are of opinion that it is inexpedient at the present time to grant her request. They therefore recommend the following resolution:

"*Resolved*, That the petitioner have leave to withdraw her petition."

We feel a persuasion that the honorable committee, by whom this report was made, must have labored under some error or misrepresentation upon the subject—for it appears to be almost an imperative duty to succor the widow of an officer so brave and disinterested, even were the means taken from the national purse; but this is not asked for. These widows and orphans ask for a portion of the interest annually arising from a fund, which grew out of the valor of their husbands and fathers: in the creation of which, their bereavements have their origin—a fund yielding more than enough to satisfy every demand that can justly be made upon it. The appeal then is not to the bounty or benevolence of the nation, but to cold, stern, immutable justice; and we trust it will not be made in vain.

Congress have set themselves an example, in the case of Mrs. Mary Chevers, worthy of imitation. Her two gallant boys, the stay, prop and comfort of her age, fell in the arms of victory, on board the Constitution, being among the first of those before whose achievements the charm of British invincibility dissolved into air. Under pre-existing laws, Mrs.

Chevers was not entitled to any compensation; but Congress, by special act, of 12th April, 1814, granted her a pension *for life.*

Although this fund has not been managed as judiciously as it might have been: although the investments in bank stocks have been as unfortunate as they were injudicious; and although the surplus of moneys received from time to time has not been as promptly invested as was advisable, and a considerable amount of interest, has in consequence been lost to the fund—still, under all these disadvantages, we find that the accumulation, arising from the annual receipts, after paying all the pensions of every description, including the widows and orphans, has in about eight years, been upwards of one hundred and twenty thousand dollars, as the following statement will show:

Aggregate fund, 1st January, 1823, - -		909,649 31
Deduct aggregate fund, 1st Jan. 1813,	210,573 58	
Amount received on account of captures from the British,	577,578 90	
		788,152 48
Shows the increase, arising from the interest to be,		121,496 83

When in addition to this view of the subject, it is considered that the number of pensioners is decreasing, we cannot resist the conclusion that the fund is now, and will continue to be, fully sufficient to warrant the most liberal provision, not only for the disabled and wounded, but for the widows and orphans.

Every individual interested in the prosperity of this fund will perceive with great satisfaction, on referring to the table previously given, that the practice of investing the proceeds in bank stocks has for years past been discontinued.—Severe indeed have been the admonitions of experience upon this subject. A nominal amount of one hundred and twenty-one thousand six hundred dollars, costing originally one hundred and twenty-nine thousand one hundred and three dollars ten cents, and now worth probably not more than sixty thousand dollars, with the losses of interest which have been sustained, not only upon the excess of the cost over the nominal amount of the stock, but occasionally upon the nominal amount itself, will, it is to be hoped, have a salutary effect in guarding the fund against the recurrence of so ruinous a practice

CHAPTER XVIII.

GUN BOATS.

Origin—Fifteen authorized—Authority to hire or accept on loan—Twenty-five authorized—Opinion of practical men as to their use—Additional gun boats recommended—Fifty authorized—Mr. Secretary Smith's report as to the number required for our various sea ports—One hundred and eighty-eight authorized—Their use and general employment—Estimates of their relative force—Expense and effect, compared with a frigate—Whole number actually built—Their cost—Their annual expense—Number remaining in 1811—Stations—Directed to be laid up—Sold—Observations.

GUN BOATS.

On the 22d December, 1802, the President, by message, communicated to Congress, that our right of deposit at the port of New Orleans had been suspended, without any other place having been assigned, according to treaty with Spain. This message produced great agitation throughout the whole country. Many were of opinion that the occasion called for an immediate appeal to arms; that the wrong could in no other way be so effectually redressed. The President was sensible "that the continuance of that privation would be more injurious to our nation, than any consequences which could flow from any mode of redress;" but ascribing this breach of compact rather to unauthorized misconduct on the part of the local authorities, than to an intentional violation on the part of his Catholic Majesty, it was considered a wise and just policy to attempt, in the first instance, a peaceful course to obtain redress, with, however, "an unalterable determination to maintain the boundaries, and the rights of navigation and commerce through the river Mississippi, as established by existing treaties."

Preparatory arrangements were accordingly made for asserting these rights by force, if negotiation should fail. In this state of things, we find the origin of the act of 28th February, 1803, which authorized the building of a number, not exceeding fifteen, gun boats, to be armed, manned, fitted out, and employed, for such purposes as, in the opinion of the President, the public service might require; and appropriated fifty thousand dollars for that purpose.

In his message of 17th October, 1803, the President says, "the sum of fifty thousand dollars appropriated for gun boats, remains unexpended. The favorable and peaceful turn of affairs on the Mississippi rendered an immediate execution of that law unnecessary, and time was desirable, in order that the institution of that branch of our force might begin on models the most approved by experience."

Soon after these gun boats were authorized, measures were taken to procure drawings and models of the Spanish and Neapolitan gun boats, which were supposed to be the most approved, those nations having been long in the use of such vessels.

On the 26th March, 1804, the President was authorized to hire, or accept on loan, in the Mediterranean sea, as many gun boats as he might think proper. The object of giving this authority, was to provide the means of carrying on our naval operations against Tripoli, with increased energy and effect.

On the 2d March, 1805, the President was authorized to cause to be built, a number of gun boats, not exceeding twenty-five, "for the protection of the ports and harbors of the United States," and sixty thousand dollars were appropriated for this purpose.

About this period several of the most distinguished naval commanders were consulted, as to the efficacy of gun boats for harbor defence. The prevailing opinion among them was, that gun boats, as a means of defence auxiliary to fixed batteries, might, within land locked navigation, if adequately armed, and commanded and manned by experienced officers and seamen, be found effectual; and they were recommended with reference to this particular description of service.

The President manifested an earnest wish to have all our sea ports placed in a state of defence, during his administration. In his message to Congress, of the 3d December, 1805, he observes, "since our last meeting, the aspect of our foreign relations has considerably changed. Our coasts have been infested, and our harbors watched by private armed vessels, some with illegal commissions, others with those of legal form, but committing piratical acts beyond the authority of their commissions. They have captured, in the very entrance of our harbors, as well as on the high seas, not only the vessels of our friends coming to trade with us, but our own also. They have carried them off under pretence of legal adjudication, but not daring to approach a court of justice, they have plundered and sunk them by the way, or in obscure places, where no evidence could arise against them; maltreated the crews, and abandoned them in boats in the open sea, or on desert shores, without food or covering. These enormities appearing to be unreached by any control of their sovereigns, I found it necessary to equip a force to cruise within our own seas, to arrest all vessels of these descriptions found hovering on our coasts,

within the limits of the gulf stream, and to bring the offenders in for trial as pirates.

"The same system of hovering on our coasts and harbors, under color of seeking enemies, has been also carried on by public armed ships, to the great annoyance and oppression of our commerce."

In another part of the same message he states: "The first object is to place our sea port towns out of the danger of insult; measures have already been taken for furnishing them with heavy cannon, for the service of such land batteries as may make a part of their defence against armed vessels approaching them. In aid of these, it is desirable we should have a competent number of gun boats, and the number to be competent must be considerable. If immediately begun they may be in readiness for service at the opening of the next session."

On the 21st April, 1806, Congress authorized the President to cause to be built, officered, manned and equipped, a number of gun boats, not exceeding fifty, "for the protection of the harbors, coasts and commerce of the United States"—and appropriated two hundred and fifty thousand dollars for that purpose.

In his message of 2d December, 1806, the President observes: "The gun boats authorized by an act of the last session, are so advanced, that they will be ready for service in the ensuing spring. Circumstances permitted us to allow the time necessary for their more solid construction. As a much larger number will be still wanting to place our sea port towns and waters in that state of defence to which we are competent, and they entitled, a similar appropriation for a further provision for them, is recommended for the ensuing year."—No additional gun boats were, however, authorized during that session of Congress. The subject was revived during the ensuing session, under circumstances emphatically demanding immediate attention to it.

The occurrence which took place on the 22d June, 1807, is still, it is presumed, fresh in the recollection of us all. It is not to be supposed that any American can forget, that on that day the frigate Chesapeake leaving the port of Norfolk for a distant service, utterly unprepared to encounter an equal force, was, by the special formal order of a British admiral, attacked by the ship the Leopard, of superior force, had several of her crew killed, and four of them taken away, and was completely disabled from proceeding on her voyage. This outrage produced one general burst of indignation throughout the whole community—not an individual was to be found who did not pant for an opportunity of avenging the aggression. From all quarters the President was urged to convene Congress immediately, with a view to their taking the most decisive steps.—He immediately, by proclamation, interdicted our harbors and

waters to all British armed vessels, took measures for the defence of the town of Norfolk, then threatened with immediate attack; despatched an armed vessel with instructions to our minister at London, to call on that government for the satisfaction demanded by the outrage, convened Congress, on the 26th October, 1807, and in his message of the 27th, he noticed these events, and submitted to the wisdom of that body whether "our moveable force on the water" should not be augmented by an additional number of gun boats.

I notice, thus briefly, the affair of the Chesapeake, in this place, with a view only to show, generally, the circumstances which induced an extension of the gun boat system during the session of Congress, which commenced 26th October, 1807, and ended 25th April, 1808. In the next volume of this work, all the circumstances of this outrage will be found detailed.

Thus insulted and menaced, the determination "to provide more effectually for the protection of our ports and harbors" was formed.

The honorable Mr. Mitchell, of the Senate, called upon the Secretary of the Navy for information, as to the number of gun boats deemed necessary, for our seaport towns and harbors; and by the reply, dated 18th November, 1807, we find the following estimate made upon that subject, viz.

For the defence of New Orleans,	16 gun boats.
Savannah,	8
St. Mary's,	4
Charleston, S. C.	10
Georgetown, S. C.	1
Wilmington, N. C.	3
Ocracock,	4
Albermarle Sound,	1
Norfolk,	60
Alexandria, D. C.	2
Baltimore,	3
Philadelphia,	4
Delaware Bay and River,	10
Egg Harbor,	1
Amboy,	2
New York,	50
Long Island,	4
New London,	6
Connecticut Shore,	6
Newport, R. I.	12
Boston,	12
Salem and Newburyport,	6
Portland,	6
New Bedford,	4
Marblehead and Cape Ann,	2

At York, Kennebunk, Saco, Sheepscut, Dameriscotta, Breudbay,	5
St. Georges,	3
Penobscot,	3
Frenchman's Bay,	2
Passamaquoddy Bay,	3
Portsmouth, N. H.	4
	257
Of which there had been built at that time	69
Leaving to be provided,	188

And Congress, on the 18th December, 1807, authorized one hundred and eighty-eight gunboats to be built, or purchased, armed and equipped "for the better protection of the ports and harbors of the United States, and for such other purposes as in his (the President's) opinion the public service may require."—And the same act appropriated $852,500 for this purpose.

The whole cost of *building* these one hundred and eighty-eight gun boats, exclusive of armament, was estimated at 5,000 dollars each, making,	$940,000
But in anticipation of authority being given, timber had been purchased to the amount of	87,500
Thus reducing the necessary appropriation to	852,500

Such were the circumstances under which the gun boat system originated—such were the considerations which induced the augmentation of their number from time to time—and such were the views with which they were recommended—all the acts of Congress authorizing them, contemplate them as an auxiliary means of "protection for our seaport towns and harbors," and to such purposes, their employment was generally confined—exceptions, however, existed—Nine of those first built,* being generally larger, and in other respects more substantial than the residue, were sent, in the year 1805, to the

* No. 2 having 1 long 32 lb. cannon, commaned by Lt. Ralph Izard,
3 - - 2 - 32 - - - - - - Maxwell,
4 - - 2 - 32 - - - - - - John D. Henley,
5 - - 2 - 32 - - - - - - Harrison,
6 - - 2 - 32 - - - - - - J. Lawrence,
7 - - 2 - 32 - - - - - - Ogilvie,
8 - - 2 - 32 - - - - - - Nathl. Harraden,
9 - - 2 - 32 - - - - - - S. Elbert,
10 - - 2 - 32 - - - - - - Carter.

These gun boats sailed from different ports in the United States, and what is not a little singular they all except No. 7, which was lost at sea, arrived at Syracuse within 28 hours of each other, (7th and 8th July, 1805.)

Mediterranean, to unite with our squadron in the blockade and bombardment of Tripoli. One of the nine was unfortunately lost at sea; but the safe arrival of eight of them in that sea, excited great astonishment, and produced the impression, that in skill and enterprize, our officers and seamen were second to none the world had ever known. During the embargo, gun boats were occasionally sent upon the coast; but these were exceptions to their general employment.

Early in June, 1809, the Secretary of the Navy was called on by a committee of the House of Representatives, of which the honorable R. Cutts was chairman, for a comparative statement as to the expense of building and maintaining in service, a frigate and a gunboat; and he replied:

"That the frigate President mounting fifty-six guns had cost - - - - - - - - $221,000

"That a gunboat of two guns would cost - 12,000

do. one do. - - - - 9,000

"That the annual expense of the frigate was less than - - - - - - - - - - 120,000

"That the annual expense of a gunboat was not less than - - - - - - - - - 11,700

"That the frigate required four hundred and twenty men to man her complete; and a gunboat required forty-five men."

Hence it resulted that the building of nineteen gunboats, each carrying two guns, and mounting in the whole thirty-eight guns, or the building of twenty-five gunboats, each carrying one gun, and mounting in the whole twenty-five guns, would cost more than a frigate mounting as the President did, fifty-six guns:—That four hundred and twenty men, who, on board of a frigate, were fully sufficient to fight fifty-six guns would not be quite sufficient to fight twenty guns on board of gun boats, each carrying two guns; or to fight ten guns, dispersed on board of gunboats, each carrying one gun: that to fight fifty-six guns dispersed on board of gun boats each carrying two guns, would require twelve hundred and sixty men, or two thousand five hundred and twenty men, if the boats carried only one gun each; whereas, two thousand five hundred and twenty men would fully man six frigates, and on board of frigates could fight three hundred and thirty six guns.

In comparing the expense per gun, differences equally great were found against the gunboats. Taking those which mounted two guns each, the annual difference between fighting fifty-six guns was found to be two hundred and seven thousand six hundred dollars; and taking those which mounted only one gun each, it amounted to five hundred and thirty-five thousand two hundred dollars per annum in favor of the frigates.

In every possible view that could be taken, the system of gun boats suffered when brought in comparison with the frigates or larger vessels, except when placed in defence of waters which could not be approached by vessels of burthen; and

in such situations, no one doubted their efficacy. By those who opposed the gun boat system it was conceded, not that gun boats were the most eligible, effectual or economical means of protecting such waters, but that they would be highly useful, and in the absence of floating batteries, propelled by steam, advisable: and subsequent experience, as we shall hereafter show, has demonstrated that gun boats, ably commanded and manned, although very expensive, are capable of rendering the most essential services, in shallow, if not in deep waters.

By another report from the Secretary of the Navy, made June, 1809, to the House of Representatives in obedience to a special call, it appears:

That the whole number of gun boats built under the previously recited laws, including four ketches, was one hundred and seventy-six.

That the cost of building and equipping them, as appeared by accounts actually settled, had amounted to one million, seven hundred and four thousand two hundred and twenty-two dollars; but that a considerable amount was still to be added to this sum, in consequence of timber, canvass, cordage, copper, iron, kentlege, &c. originally purchased for other objects, and paid for out of other appropriations, not having been then charged to the gun boats; when these are charged, they fully sustain the Secretary's estimate of the cost of the gun boats, as stated in his communication to Mr. Cutts, viz. twelve thousand dollars for those carrying two guns, and nine thousand dollars for those carrying one gun. Hence the whole number, one hundred and seventy-six, may be averaged at ten thousand five hundred dollars, making the cost of the whole, one million eight hundred and forty eight thousand dollars.

If then, one hundred and seventy-six gun boats, had actually cost one million eight hundred and forty-eight thousand dollars, the whole number contemplated for the defence of our sea-port towns and harbors, viz. two hundred and fifty-seven, would have cost two million six hundred and ninety-eight thousand five hundred dollars; and their annual expense in actual service, upon the Secretary's estimate, would have been three million six thousand nine hundred dollars; say three millions of dollars.

When this view was taken of the subject, with the recollection that this constituted only *a part* of the proposed system by which our ports and harbors were to be defended, (for these gun boats were always considered as auxiliary to fixed batteries, and not of *themselves* competent to the object,) the friends of the Navy considered, and probably justly, that if this system were to be sustained, the idea of having a navy must be abandoned; that the nation would not agree, after paying three millions annually for the support of gun boats, to pay as much more for a navy. One or the other must be given up, and no difficulty existed in selecting the one to be retained.

In 1811, the number of gun boats was reduced, by losses at sea and decay, to one hundred and sixty-nine, which were distributed as follows: at New Orleans, twenty-seven; at Charleston, S. C. ten; Wilmington, N. C. four; Norfolk, twenty-one; Washington, nine; Baltimore, ten; Philadelphia, twenty; New York, fifty-two; Westerly, Rhode-Island, two; Norwich, Connecticut, two; Boston, one; Portland, nine, and Lake Champlain, two.

The services rendered by the gun boats were so inconsiderable, when compared to their enormous expense, that those who had in the first instance zealously advocated them, yielded by degrees to the force of the arguments which were urged against them. The first intimation of any change having been produced in Congress, existing on record, will be found in the act of 30th March, 1812, directing that the gun boats then in commission should be laid up, and with those not in commission, be distributed in the several harbors of the maritime frontier most exposed to attack, where they were to be carefully kept, and used as circumstances should require. The same act which makes this provision for laying up the gun boats, requires that the frigates Chesapeake, Constellation, and Adams, be immediately repaired and put into actual service. And on the 3d March, 1813, the President was by law authorized to sell or dispose of "such and so many of the gun boats as may no longer be necessary to be retained by the government;" and the same act authorizes the President to proceed in the building of forty-four gun ships. The last act of Congress to be found upon this subject, was passed the 27th February, 1815, reiterating the authority to sell the gun boats.

The whole of these gun boats, excepting two or three, (used as yard tenders,) have been sold. The sum they sold for was not one-tenth of their original cost; but they were decaying, and becoming utterly unserviceable.

Gun boats, considered as a part of our Navy, have been much ridiculed, and on some occasions not undeservedly; but the great hostility to them arose, not so much from their acknowleged incompetency to accomplish the special purposes for which they were provided, as from their obvious tendency, by draining the Treasury of large sums of money, to prevent an increase of the Navy. Other and well founded objections were urged; the service itself, by confining our officers and seamen to harbor duty, occasioned idle habits, subversive of good morals, discipline, and subordination, and utterly destructive of that generous ambition, that spirit of emulation, which ensures professional pre-eminence. They were seriously reprobated on the ground, certainly not assumed without reason, that in such service it was impracticable to form either the officer or the seaman. Our young officers, instead of daily improving in their profession, were believed to be fast losing the recollection of their previous attainments in a more auspicious service.

CHAPTER XIX.

Number of officers and seamen—Limited by law of 1801—Attached to each ship in ordinary—Supplementary law, 1804—Number of certain officers 1805—Extension of the number recommended by Mr. Secretary Smith—Number of seamen required for vessels of different rates—Extension of number, 1806—Observations—Additional seamen, 1807—1808—Restrictions as to number removed, 1812, 1813—Number allowed a ship of the line, now in the Navy—Observations—Terms of service of seamen—Pay and rations—Price of rations—Observations thereon—Principle upon which pay is regulated, defective—Passed midshipmen—Surgeons, their pay—Rank considered with respect to the existing state of the Navy—Properties, œconomy of—Reflections—Order with respect to illegal titles—Observations.

Number of officers and seamen.

By act of 27th March, 1794, providing a naval armament, and authorizing the purchasing or building, equipping and employing four ships, to carry forty-four guns, and two to carry thirty-six guns, the number of officers, seamen and marines, authorized, was as follows:

For the six ships.

6 Captains of the Navy,	Commission officers.
22 Lieutenants,	
6 Lieutenants of marines,	
4 Chaplains,	
6 Surgeons	
10 Surgeon's mates,	
6 Sailing masters,	Warrant officers.
6 Pursers,	
6 Boatswains,	
6 Gunners,	
6 Sail makers,	
6 Carpenters,	
48 Midshipmen,	

One hundred and sixty-four petty officers, eight hundred and six able seamen, seven hundred ordinary seamen, fourteen non-commission officers, twelve drums and fifes, and

two hundred and eighty private marines, whose pay was to be fixed by the President of the United States.

This law made the crew of a forty-four to consist of three hundred and fifty-nine, and of a thirty-six, three hundred and twelve persons in all; probably too few in time of active war. We had, however, only one or two vessels manned, under this law.

By act of 30th June, 1798, the President was authorized to appoint the necessary number of officers, and to increase or vary the quotas of seamen, landsmen and marines to be employed on board the different ships, "according to the exigencies of the public service;" and under this law, all the necessary number of officers, seamen and marines, was employed on board the respective ships and vessels; the number on board each vessel being regulated from time to time by the President, until by act of 3d March, 1801, a peace establishment was provided, which retained in service,

9 Captains,
36 Lieutenants,
150 Midshipmen,

And directed that six frigates should be kept in constant service, to be officered and manned as the President should direct, not exceeding, however, two-thirds their usual complement of "seamen and ordinary seamen."

The same act directed that there should be permanently attached to each frigate laid up in ordinary,

1 Sailing master,
1 Boatswain,
1 Gunner,
1 Carpenter,
1 Cook,
1 Sergeant or corporal of marines,
8 Marines,
12 Seamen to the large frigates, and
10 to the small.

This last provision of the law, attaching certain officers, seamen and marines to each vessel laid up in ordinary, was found to be productive of great and unnecessary expense, and Mr. Secretary Smith, perceiving this, and that there was no regularly organized command of the yard—no law which vested the general superintending direction of the yard in any one officer, addressed a communication the Hon. Jos. H. Nicholson, chairman of a committee of the House of Representatives, 7th February, 1804, proposing that Congress should pass a law, authorizing a captain in the Navy, to be attached to the Navy Yard at Washington, who should have the general superintendance of the yard, and perform the duties of Navy Agent—that the provision of the law of 3d March, 1801, which was found to involve so much unnecessary expense, should be repealed; and that instead of attaching any particular number

permanently to any ship in ordinary, the men should be entered for the general service of the yard, and have one ship assigned to them as a place of eating, sleeping, &c. He showed that such an arrangement would produce an annual saving in the expenses of the yard, of $31,403 28.

The communications upon this subject resulted in the passage of the law, entitled "An Act supplementary to the Act entitled "An Act providing for a naval peace establishment, and for other purposes," passed 27th March, 1804, which authorized the President to attach to the Navy Yard at Washington

1 captain,
1 other commission officer,
1 surgeon,
1 surgeon's mate,
1 sailing master,
1 head carpenter,
1 plumber,
1 head block maker,
1 head cooper,
2 boatswains,
2 gunners,
1 sailmaker,
1 storekeeper,
1 purser,
1 clerk of the yard;

and such seamen and marines, as he should deem necessary, the number however, not to exceed that authorized by the act of 3d March, 1801.

In 1805, the number of the following description of officers in the Navy was.

10 captains,
8 masters commandant,
73 commission lieutenants,
9 acting lieutenants,
133 midshipmen.

In December, 1805, peace with the Bashaw of Tripoli having been concluded, the subject of a naval peace establishment was again brought up in Congress. On this occasion Mr. Secretary Smith urged, with great force, an increase particularly of the number of captains, masters commandant and lieutenants. In a letter to the honorable Mr. Gregg, he observed, "it is desirable that the President should be authorized to appoint five captains in addition to the number now in the navy. The five senior masters commandant who would if authority existed, be promoted to the stations of captains in the navy, are gentlemen distinguished for their services, who have by courtesy been called captains, and who are in every respect, entitled to promotion, the greater part of whom I fear we shall

lose if they are not promoted. For similar reasons, it is desirable that the President should be authorized to appoint nine masters commandant and one hundred lieutenants."

"With respect to lieutenants, we have unavoidably been obliged to appoint midshipmen to the station of lieutenants who were junior to others of equal merit not appointed. It is therefore obviously desirable that authority should be given to the President to appoint as many lieutenants as will include the meritorious midshipman senior to the junior midshipman appointed or acting as a lieutenant, and thus give them the rank to which they are entitled by their merit and their services."

He stated the number of able seamen, ordinary seamen, and boys, required for vessels of different rates, to be

	Seamen,	*O. Seamen,*	*Boys.*
For a 44,	120	142	30
36,	100	107	30
32,	75	65	25
sloop of war,	60	40	20
16 guns,	45	30	10
14 gun schooner,	30	15	8

On the 21st April, 1806, the act in addition to the acts of 3d March, 1801, and 27th March, 1804, "providing a naval peace establishment," was passed, which authorized the President to keep in actual service, in time of peace, as many of the frigates and other public armed vessels, as, in his judgment, the nature of the service might require, and to cause the residue to be laid up in ordinary. It declared that the public armed vessels should be officered and manned as he should direct; *provided*, the officers should not exceed

13 captains,
9 masters commandant,
72 lieutenants,
150 midshipmen;

and that the whole number of able seamen, ordinary seamen, and boys, *should not exceed nine hundred and twenty five*;* but for

* Four days after the passage of this act, "our *jurisdictional* rights were most grossly violated" before the harbor of New York, by the British ship, the Leander, captain Whitby, who, by a cannon shot fired at one of our merchant vessels, killed our fellow citizen, John Pierce; and the following memorial upon the subject was transmitted to the President of the United States:

"The memorial of the mayor, aldermen, and commonalty of the city of New York, respectfully sheweth:

"That your memorialists repose full confidence in the wisdom and patriotism of the present administration of the United States. They are sensible that the general government is disposed to afford sufficient and adequate protection to every portion of the Union.

"A melancholy event has taken place. This day consigns to the grave the remains of John Pierce, a fellow citizen, inhumanly and wantonly murdered by the British. Our port is blockaded—our vessels intercepted—our seamen impressed—our commerce interrupted—and our

the vessels in actual service, the President might appoint as many surgeons, surgeon's mates, sailing masters, chaplains, pursers, boatswains, gunners, sailmakers, and carpenters as might, in his opinion, be necessary and proper.

Soon after this law passed, the great inconvenience, the serious injury, resulting particularly from the number of able seamen, ordinary seamen, and boys being so very limited, became apparent. It was necessary to send two vessels to the Mediterranean to relieve two of those then cruising in that sea, whose crews were entitled to their discharge. We had seven hundred in actual service, exclusively of the number at New Orleans, and the relief squadron required four hundred and twelve; so that the relief squadron could not be sent out without employing one hundred and eighty-seven seamen more than the law authorized. But this was not all the inconvenience or injury. New Orleans required at least four hundred seamen to defend it against "an apprehended attack;" and so seriously did the good people of New Orleans believe that an attack was intended; so universal indeed was the impression upon this subject, that captain Shaw the commanding naval officer on that station, without waiting for instructions, took upon himself the responsibility of engaging four hundred seamen to be employed in the small vessels on that station for the defence of the city. Thus we had actually in service eleven hundred, when the law authorized only nine hundred and twenty-five; and we could not send a relief squadron to the Mediterranean without employing four hundred and twelve more; so that the service about the close of the year, in which the law limiting the number of seamen to nine hundred and twenty-five was passed, actually required five hundred and eighty-seven seamen more than the law authorized.

This state of the service was communicated by Mr. Secretary Smith to the honorable Thomas Newton, chairman of a select committee of Congress, in a letter dated 18th February,

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jurisdictional rights most grossly violated. A British squadron is now before our harbor, evincing a disposition to renew its outrages, and to perpetrate additional enormities.

"We therefore respectfully request that *a naval force may be immediately stationed at this port, and that three or more American frigates may, without delay, be sent for our protection.*"

(Signed) "DE WITT CLINTON."

"By order of the Common Council,

T. MORTON, City Clerk,"

On the 21st April, 1806, we had, in actual service, twelve hundred and ninety-nine able seamen, ordinary seamen, and boys. The law of that date restricting the number to be employed to *nine hundred and twenty-five*, the executive was not only not able to comply with the memorial, but was compelled to *reduce* the establishment by discharging three hundred and seventy-four of the number then employed.

1807. The enlightened *practical* statesman, to whom this communication was addressed, immediately introduced a bill authorizing the employment of five hundred additional seamen, which, on the 3d March, 1807, was passed into a law; so that thenceforth, the whole number of able seamen, ordinary seamen, and boys, authorized by law, was one thousand four hundred and twenty-five.

On the same day a law passed authorizing the President, "in all cases of insurrection, or obstruction of the laws, either of the United States, or of any individual state or territory, where it is lawful for the President of the United States to call forth the militia for the purpose of suppressing such insurrections, or of causing the laws to be duly executed, it shall be lawful for him to employ for the same purposes, such part of the land and naval force of the United States as shall be judged necessary." This act legalized the naval proceedings at New Orleans.

The occurrence of 22d June, 1807, found the government thus restricted as to the number of seamen to be employed. Commodore Douglass had then under his command in the waters of the Chesapeake, more seamen than the President of the United States was authorized to employ! This *he* well knew; and it was further well known to him, that there existed no appropriation out of which the Navy Department could pay for any additional number of seamen; that no money could be drawn from the Treasury without a previous appropriation by law. He well knew, too, that seamen could not be employed without money—it is presumable, at least, that these facts were well known to him, as the contrary supposition would imply a culpable degree of ignorance on his part; particularly, considering the great publicity given to our national prceedings on subjects of this nature.

That commodore Douglass grossly insulted the citizens of Norfolk and Hampton, and through them the whole American community, is known to us all, and felt by many of us to this hour. Would he have thus insulted us, if these restrictions upon the executive power had not been imposed?

When Congress convened in October, 1807, the sensibility excited by the previous occurrences of the year, manifested itself, in the conversations and speeches of many of the members. At an early period, (December 18, 1807,) the *building or purchasing, arming and equipping*, one hundred eighty-eight gun boats, for the better protection of the ports and harbors of the United States, was authorized, and an embargo, unlimited in its duration, was laid on all ships and vessels; but we no where find during this session that the President was empowered to employ an additional number of seamen. The restriction as to the number to be employed still continued. The attention of Congress was invited to this subject by Mr. Se-

cretary Smith, in a letter to the honorable Mr. Reed, chairman of a committee of the Senate, dated 14th January, 1808, stating that one thousand two hundred and seventy-two additional seamen were required to enable the department to put into actual service the 68 gun boats, then completely equipped.

During the following session, which commenced 7th November, 1808, it was determined by Congress to employ in addition to the frigates then in actual service, the United States, President, Essex, and John Adams, and as many of the other public armed vessels and gunboats, as, in the opinion of the President, the public service might require; and the Secretary of the Navy was called upon for information, as to the additional number of officers and seamen required for this purpose. In his communication, dated 7th December, 1808, the Secretary states, that two hundred and thirty-four midshipmen and two thousand seamen, in addition to the number then authorized, were required; and in a subsequent communication, (16th December,) to the Hon. Mr. Giles, who had shown him the draft of a bill authorizing and requiring the President, to arm, man, and fit out for immediate service, *all* the public ships of war, vessels, and gun boats—he stated that the additional number required to carry such a bill into effect, would be 350 midshipmen and 4447 able seamen, ordinary seamen, and boys; and Congress, by act of 31st January, 1809, authorized the President "to appoint and cause to be engaged, as soon as may be, 300 midshipmen, and 3600 able seamen, ordinary seamen, and boys," in addition to the number authorized by previous laws.

The whole number of officers and seamen authorized, including these several additions, was:

13 captains,
9 masters commandant,
72 lieutenants,
450 midshipmen—and as many other officers as were necessary, and
5025 able seamen, ordinary seamen, and boys.

The number of lieutenants would obviously have been greatly insufficient, if they had been generally appointed to the command of gun boats—but under the act of 21st April, 1806, the President could appoint as many sailing masters as the service might require—and many officers of this rank were accordingly appointed to the gun boats.

Thus the service continued, with regard to the number of officers and men authorized to be employed in the Navy, until the 30th March, 1812, on which day, "an act concerning the naval establishment" was passed, removing every restriction so far as to enable the President to officer and man the frigates therein authorized to be put in service. In the language of the law, "the officers and seamen may be increased, so far as may be necessary to officer, man and equip the ves-

sels so to be put into service, any law to the contrary notwithstanding"

On the 2d January, 1813, "an act to increase the Navy of the United States" was passed, and four ships of seventy-four guns, and six ships of 44 guns, were authorized to be built, equipped, and employed; and the officers and men assigned to each 74 were

One captain, six lieutenants, (one captain—one first, one second lieutenant marines,) one surgeon, one chaplain, one purser, three surgeon's mates, two masters, three masters mates, one boatswain, one gunner, one sailmaker, one carpenter, twenty midshipmen, six boatswain's mates, three gunner's mates, two carpenter's mates, one sailmaker's mate, one cooper, one steward, one master at arms, one cook, one coxswain, one boatswain's yeoman, one gunner's yeoman, one carpenter's yeoman, ten quarter gunners, eight quarter masters, one clerk, one schoolmaster, two hundred able seamen, three hundred ordinary seamen and boys, three serjeants, three corporals, one drummer, one fifer and sixty marines; making the whole crew six hundred and fifty-four.

The number of officers and men has not been restricted by any subsequent law, and we find at the present day, that the number in service, is nearly as follows:

30	captains,
30	masters commandant,
183	lieutenants,
42	surgeons,
32	surgeon's mates,
40	pursers,
9	chaplains,
75	passed midshipmen,
281	midshipmen,
53	sailing masters,
16	boatswains,
18	gunners,
13	carpenters,
11	sailmakers,
1	master's mate,
452	petty officers,
2987	seamen, ordinary seamen and boys,
4273	

About sixty of the officers are on furlough, and receiving only half pay.

The aggregate number of persons now in the navy, is fully two thousand less than the number authorized to be employed in 1809, and seven thousand short of the number authorized prior to the declaration of war against Great Britain.

No good effect has ever resulted from limiting the number of seamen; and an attentive consideration of the facts previous-

ly stated, will probably satisfy us, that a restriction of this nature is impolitic and inconvenient in practice. On the one hand, we find, that when the public service demanded more seamen than were authorized, the executive who has, generally, *invited wholesome restrictions upon his power*, did not hesitate to employ the additional number actually necessary: on the other hand we see, *as at this day*, that the number employed, is *greatly short of the number authorized*. Congress have certainly a sufficient check in the annual appropriations. If the number estimated be in their opinion too great, it may be reduced by lessening the appropriation.

The number of almost every corps of officers, is considerably less than would be required, if the ships, at this time afloat, were to be ordered into actual service, and is greatly less than the number which will be necessary when all the ships authorized to be built, shall be completed and put in commission.

It is possible, that some of the corps may be found rather more numerous than the service absolutely requires at this time; but the executive authority, can, without any legislative interposition, reduce their number. The national interest, however, appears to forbid the dismissal of a single meritorious officer, for we know not how soon we may have occasion for the whole and more, and they are now preparing and qualifying themselves, to render their services in the most effectual manner, whenever called upon.

TERM OF SERVICE OF SEAMEN.

The act of 1st July, 1797, fixed the term of service of seamen, at one year. "They shall not be engaged to serve on board the frigates, for a period exceeding one year; but the President may discharge them sooner, if in his judgment their services may be dispensed with."

By act of 27th April, 1798, the term of enlistment of the seamen, was "extended beyond one year, if the vessel should then be at sea, and until ten days after such vessel shall arrive in some convenient port of the United States, thereafter."

By Act of 6th February, 1802, it is enacted, "that the seamen may be engaged to serve in the navy of the United States, for a period not exceeding two years; but the President may discharge the same sooner, if in his judgment, their services may be dispensed with."

By act of 31st January, 1809, seamen, ordinary seamen and boys, were authorized to be "engaged to serve for a period not exceeding two years."

By Act of 15th May, 1820, authority is given to engage "able seamen, ordinary seamen and boys, during the continuance of the service or cruise, for which they shall be enlisted; not however, to exceed the period of three years."

Pay and Rations of the Officers and Seamen.

By act of 27th March, 1794, entitled "an act to provide a naval armament," the following pay and number of rations were prescribed for the officers, seamen and marines, viz:

Captain,	75 $ per month and	6 rations per day.
Lieutenant,	40	3
Lieut. marines,	26	2
Chaplain,	40	3
Sailing master,	40	2
Surgeon,	50	2
Surgeon's mate,	30	2
Purser,	40	2
Boatswain, Gunner, Sailmaker, Carpenter,	14	2

Midshipmen, petty officers, able seamen, ordinary seamen and marines, to be fixed by the President, each to be entitled to one ration per day.

By act of 1st July, 1797, entitled "an act to provide a naval armament," the pay and number of rations as above stated were continued, excepting as to lieutenants of marines, boatswains, &c, whose pay was fixed as follows:

Lieut. marines,	$30 per month and	2 rations per day.
Boatswain, Gunner, Sailmaker, Carpenter.	each $20	2 rations.

This pay continued until the passage of the act of 25th Feb. 1799, entitled "an act fixing the pay of the captains and commanders of ships and vessels of war of the United States," which owed its origin to a communication from Mr. Secretary Stoddert, to the honorable Josiah Parker, chairman of the naval committee, of which the following is an extract:

"The commanders of our frigates have at all times as great a charge upon their hands, and are subjected to as much expense as brigadiers general. When they command squadrons, their situation becoms at least as important as that of brigadiers general on separate command. The pay of a brigadier general is one hundred and four dollars per month, and twelve rations per day, and sixteen dollars per month for forage, and when on separate command, the rations are doubled. The captain of a frigate is seventy-five dollars per month and six rations per day. When commanding a squadron, they are entitled to no more.

The act of 25th February, 1799, which grew out of this communication, fixed the pay of captains and commanders as follows:

	per month.	rations, day.
Captain com'ding ships of 32 guns and upwards - - - - - -	$100	8
Captain commanding ships of 20 guns and under 32 - - - - -	75	6
Master commandant, - - - -	60	5
Lieut. commanding the smaller vessels,	50	4

Any officer employed in the command of a squadron on separate service, to be allowed double the number of rations during the continuance of such command. The commanding officer of the Navy, while in service, to be always entitled to sixteen rations per day.

The ration, as fixed by the act of 27th March, 1799, and 1st July, 1797, consisted of

	pork, lb.	beef, lb.	bread lb.	rice, half pint,	peas, half pint,	potatoes, lb.	fish, lb.	cheese, oz.	butter, oz.	molases. oz.	spirits, half pint.*
Sunday,		1½	1	1							1
Monday,	1	—	1		1			4			1
Tuesday,		1½	1			1					1
Wednesday,			1						2		1
or in lieu				1				4		6	1
Thursday,	1		1		1						1
Friday,			1			1	1		2 or 1 gill oil.		1
Saturday,	1		1		1			4			1

*Or one quart of beer each day—and the ration was valued at twenty-eight cents.

The pay as fixed by the previously recited laws has undergone no change, excepting a temporary one, made by act of 18th April, 1814, which authorized the President "to make an addition, not exceeding 25 per cent, to the pay of the officers, petty officers, midshipmen, seamen, and marines, engaged in any service, the hardships or disadvantages of which shall, in his judgment, render such an addition necessary." This provision was, however, repealed by act of 22nd February, 1817.

The ration as above stated continued also till the peace establishment law of 3d March, 1801, which fixed it to consist of

	pork, lb.	beef, lb.	bread oz.	rice, half pint	peas half pint	flour, lb.	cheese oz.	suet lb.	butter, oz.	molasses, half pint	vinegar half pint	spirits, half pint,
Sunday,		1¼	14			½		¼				1
Monday,	1		14		1							1
Tuesday,		1	14				2					1
Wednesday,	1		14	1								1
Thursday,		1¼	14			½		¼				1
Friday,			14	1			4		2	1		1
Saturday,	1		14		1						1	1

And upon the passage of this law the price of the ration was reduced to twenty cents—and no further change was made till the 1st January, 1814, when the price was raised to twenty-five cents, and has so continued to this day.

As regards the officers who, under existing regulations, are entitled to one ration only, and all persons on board ship, subordinate to them—the *price* at which the ration is fixed is of no consideration to them as they drew it in kind—neither is it of any importance to the public, excepting only in the prices for the *articles constituting the ration*—It is, however, a subject of much interest to all officers entitled by law to more than one ration, because they draw in kind *only one, and receive pay for all exceeding that number.* One cent in the price of the ration, would affect the amount of the annual compensations of all officers at this time in the navy, taken in the aggregate, about three thousand dollars. Its effect upon a captain's annual compensation would be twenty-five dollars and fifty-five cents; upon a master commandant's, fourteen dollars and sixty cents; upon lieutenant's commanding, ten dollars and ninety-five cents; upon lieutenants, seven dollars and thirty cents; and upon surgeons, surgeon's mates, pursers, chaplains, sailing masters, boatswains, gunners, sailmakers, and carpenters, three dollars and sixty-five cents. Hence it will be seen, that a reduction of the price of the ration would affect the annual compensations of the commanding officers more sensibly than those of subordinate rank.

In deciding upon the fair and just price to be paid for those rations, which are not drawn in kind, it is not sufficient to refer to the prices given for the particular articles constituting the legal ration, for such articles were selected with reference to the seamen generally of the ship. The officers, although all drawing one ration in kind, are not to be expected to confine themselves to the particular articles constituting the ration; none of us, we apprehend, would deny to them a cup of coffee or a glass of wine; yet these form no part of the ration. We should probably feel mortified to hear that a commodore of our navy, in return for civilities received in a foreign port, had nothing but beef, pork, peas, and whiskey to offer. The proper inquiries are, what is the cost of such articles of food and drink, as might reasonably be expected to be found upon the table of an officer? What does custom require? Of how many does his military family consist? And when these questions are solved, we shall still be at a loss. These articles are to be procured by him, from time to time, in the various markets of the world, to which his duty calls him. He cannot always provide them in the United States; and if he could, the government ought to discourage the practice, for were all the officers to provide themselves sufficiently for the whole cruise, it would take up so much of the room of the ship, that it would

of necessity lessen the supply for the seamen, and shorten the cruise. The government well knowing this, will not allow an officer to draw more than one ration out of the public stock, and experience has abundantly proved the propriety of the rule which compels the officers to provide all their rations excepting one. The officers then are, from considerations of public as well as private convenience, compelled to pay all the various prices in the various markets of the world; and who can calculate these? Surely, under these circumstances, it will at once be conceded, that the price to be allowed them for their undrawn rations, should be sufficient to enable them to pay at least the average of the prices to which they are inevitably subjected; and if this be conceded, we apprehend their own private accounts would prove that twenty-five cents per ration is less than the average cost.

No change in the pay of the officers of the Navy having been made since the year 1799, the annual amount to which each officer in actual service is entitled, is

A captain commanding a squadron of ships,	$ 1,200
captain of a ship of 32 guns and upwards,	1,200
captain of a ship under 32 guns,	900
master commandant,	720
lieutenant commanding	600
lieutenant,	480
surgeon,	600
sailing master, purser, and chaplain, each	480
surgeon's mate,	360
boatswain, gunner, sailmaker, or carpenter	240
midshipman,	228

In examining this list, we cannot refrain from the remark, that upon sound naval principles, it appears to us susceptible of great improvement. Indeed the principles of common justice, seem to recommend the fitness and propriety of many modifications.

A captain of a thirty-two gun ship, under existing laws, is entitled to the same pay as a captain of a seventy-four, or as a captain commanding a squadron. A lieutenant of the smallest schooner is entitled to the same pay as a lieutenant of a frigate, or of a ship of the line. A surgeon and every other officer of any vessel, however small, receives the same pay as an officer of the same corps can receive when attached to any ship however large; and the moment an officer is appointed he becomes entitled, under his commission, to as much pay as an officer of the same corps, who has served faithfully for twenty years or more.

In regulating the pay of the various classes of officers, reference should surely be made to the responsibility imposed upon them; to the expenses to which their stations unavoidably expose them. No one, it is presumed, will say that a cap-

tain of a thirty-two gun ship has an equal degree of responsibility, or is subjected to the same expenses, as a captain commanding a ship of the line, or a squadron of ships; neither would any one contend that a lieutenant, a surgeon, a sailing master, a boatswain, a gunner, a sailmaker, or a carpenter of a schooner, is in a situation involving even half the degree of responsibility as devolves upon him when placed on board a ship of the line; and every person, conversant in naval affairs, will at once concede, that a *first* lieutenant of a ship has duties far more responsible and arduous, than any other lieutenant on board the same ship—that his duties require the constant exertion of higher professional attainments. None of us can reflect one moment upon the subject, without admitting the great value to the nation, of experience in the various departments of the service; and it seems to be strictly just, that the officer who gives to the nation the full benefit of his matured experience, should, in return, be in some way distinguished from one merely entering on his career.

A sea officer continues to improve, as long as he retains the faculties of his mind; and with regard to surgeons and physicians, they may be justly compared to Madeira wine—the longer retained the more valuable, and should be estimated and requited for their services accordingly.

We cannot omit here to notice a junior class of officers, now the ornament, and ere long to become the chief hope of our navy. The present senior officers are not to last forever; they are becoming old, and will soon be either "gathered to their fathers" or unfit for active service; the corps of midshipmen will then furnish a supply (an ample one we trust,) of Decaturs, Tripps, Perrys, and Lawrences. This corps cannot be nursed with too much care. More than seventy of them have served out their arduous apprenticeships, and passed with distinguished honor a rigid examination. Others are now in their probationary career, and promise fairly to become all that we could reasonably wish them to be. But ought there not to be a distinction made between the *pay* of the *passed* midshipmen and those who have not passed? They cannot in justice he called on again to act as midshipmen. If they were to be immediately promoted, and put on half pay, with one ration per day each, until their services shall be required, the whole annual additional expense to the nation would not be $1000; and while such a promotion would, it is presumed, be particularly gratifying to these fine young officers, it would encourage others to pursue the same honorable course by which it should have been gained, and thus promote the best interests of the service.

The pay of officers, particularly in the higher departments of the service, appears insufficient for their comfortable support. If we include their rations, it cannot exceed the following, viz:

A captain commanding a squadron of ships' (equal to the command of an admiral,) per annum, -	2660*
A captain commanding a seventy-four, or any vessel above a thirty-two, - - - - - -	1930
A captain commanding a vessel of less than thirty-two guns, - - - - - - - -	1447 50
A master commandant, - - - - - -	1176 25
A lieutenant commanding, - - - - - -	955
A surgeon of any ship or vessel, - - -	782 50

Officers of these grades, when in actual service at sea, have

*It may be useful to compare the pay in our Navy, with that in other navies.

In the Dutch Navy, the pay of captains is:

If commanding a seventy-four,	9000 guilders per annum, or	$3600
If commanding a frigate,	8000, - - - - - -	3200
If commanding a sloop,	5000, - - - - -	2000

In the British Navy, an admiral of the fleet receives £6 sterling per diem, and is entitled to twelve servants, at 32s. per month each—an admiral receives £5 sterling per day, and is entitled to ten servants—a vice admiral £4 sterling per day, and seven servants; a rear admiral or commodore with a captain under him, £3 sterling and five servants; and every commander in chief receives the further sum of £3 sterling per day while his flag is flying within the limits of his station; a captain of the fleet, receives £3 sterling per day, and is entitled to three servants at 32s. per month each—making these various allowances, the annual amount of compensation to officers of the British Navy, from the admiral of the fleet, down to the commander of a sloop or bomb, is:

Admiral of the fleet, - - - - -	$15,624	
Admiral, - - - - - - -	13,831	11
Vice Admiral, - - - - - -	11,952	88
Rear Admiral or Commodore with a captain under him, - - - - - - - -	10,160	
Captain of the fleet, - - - - -	5,122	67
Captain of a 1st rate, 800 to 900 men, -	3,272	87
2d rate, 650 to 700 men, -	2,864	
3d rate, 600 to 650 men, -	2,455	11
4th rate, 350 to 450 men, -	2,045	33
5th rate, 280 to 300 men, -	1,636	44
6th rate, 125 to 175 men, -	1,432	
Sloop, 100 men or less, -	1,227	55

All which is exclusive of indulgencies and allowances not known in our service.

The pay of surgeons and physicians in the British navy, is regulated by the number of years they shall have served, viz:

The pay of surgeons of ships, after 6 year's service is -	$892	23
after 10 year's service, -	1135	55
after 20 year's service, - -	1460	
The pay of physicians of less than 3 year's service, is -	$1703	33
after 3 and less than 10 years,	2555	
after 10 years,	3406	67

The pay of subalterns in the British Navy is regulated by length of service, and the rate of the ship they serve in.—This remark applies, indeed, to every commission, warrant, and petty officer in that service, excepting only the chaplains.

frequently two establishments to support, as they are generally married men.

The principle upon which pay has been regulated, is obviously defective, since it makes no difference between officers who have served any number of years, and those who have been commissioned only a single hour.

The subject of navy pay has not, however, it is believed, been submitted to the consideration of the National Legislature, since we have had ships of the line.—When it shall be taken up, we cannot but indulge the hope, that it will be graduated, so as to adapt the amount to the rank, extent of command, and responsibility in the several departments.

RANK.

There are but three orders of rank in the Navy of the United States, viz. captain, master commandant, and lieutenant.

The relative rank of the officers in these respective corps is regulated by the dates of their commissions, those of senior date taking precedence.

The number of persons at this time in the Navy is computed at four thousand two hundred and seventy-three. The number necessary to man all our ships now afloat, would not be short of ten thousand. The number required to man the whole Navy, when all the ships now on the stocks shall be completed, will not be less than eighteen thousand. The law of 25th February, 1799, declares that no rank inferior to that of captain is competent to the command of a twenty gun ship, and this is the highest rank *in the Navy*, recognized by any existing law.

The practical interpretation of existing laws upon this subject is, that the rank of master commandant is sufficient for the command of one hundred and seventy-five men, but not for any number exceeding that, because no vessel of less than twenty guns, would require a greater number: that it requires the rank of captain to command any number of men exceeding one hundred and seventy-five; and that the rank of captain is the ne plus ultra and sufficient to the command of any naval force however extensive. This *practical* view of the subject exhibits such palpable defects in the existing laws with regard to naval rank, that we apprehend the principle upon which rank should be regulated has never been seriously and thoroughly considered, by those whose province it is to provide the remedy.

Why the rank of master commandant should be fully competent to the command of one hundred and seventy-five men, and should be strictly limited by legal disabilities, to that number, or why the rank of captain should be required to command two hundred, and yet may command eighteen thou-

sand, is to our minds wholly unintelligible. In vain have we sought for a solution of these apparent, if not obvious contradictions, in the properties of rank, tested by the extent of command, in the nautical skill, required in the management of ships, in the higher service of conducting and manœuvring fleets and squadrons: no where can we find a theory upon which the existing arrangement can be sustained. Reason disapproves and universal experience rejects it.

What is the principle assumed, in regulating *military* rank in our service? The necessity of numerous orders of rank, is universally admitted. In organizing the command of an army of four thousand men, there are five orders superior to that of captain, viz. major general, brigade general, colonel, lieutenant colonel, major.

A military company of one hundred men, is commanded by a captain; a battallion, composed of five companies, is sometimes commanded by a major, but a lieutenant colonel and a major are considered preferable; a regiment, composed of two battallions, is commanded by a colonel; a brigade, composed of two regiments, by a brigadier general; combine two brigades and a major general becomes indispensable. Thus four thousand men require to command them, one major general, two brigade generals, four colonels, four lieutenant colonel, eight majors, and forty captains, &c. The rank then in the army is regulated by the number of men.

In the Navy, as at this time organized, four thousand men on board ships of the line, would be commanded by *five* captains; the senior in date of commission taking precedence and commanding the whole.

Why is this great distinction made between the army and the navy? Why is that correct and long established principle of regulating rank by the extent of command, recognized with regard to the army, and wholly disregarded as respects the navy? Is not the responsibility of commanding any given number of men at sea, as great as on shore? Is not the duty as arduous? Are seamen more easily commanded than soldiers? Does the sea service require less skill, less talent, less experience?—Without intending any disrespect to our gallant army, we have no hesitation in observing, that the responsibility of sea command, is fully as great as that of army command; that the service is equally arduous, if not more so; that seamen are as difficult to command as soldiers; and that the sea service requires professional qualifications of as high order, and not so early or so easily attainable, as those necessary for that of the army.

It has long since become an axiom in military and naval science, that rank is essential to efficiency of command; unity and indivisibility are equally essential to rank. Command cannot be long maintained with effect, if the rank be not *fully equal to it.* Divide rank and you destroy at once the efficien-

cy of command; to be useful it must be invested with the power of enforcing implicit obedience, respect, discipline and subordination. The commander in chief must be so far removed from all those placed under him, by his rank, that none of them shall presume upon an equality; none ought to be *commissioned* like him. No one below him should have it in his power to say, "sir you are a captain, and so am I: from my commission I am presumed to possess as much skill and intelligence as yourself; you command me it is true, but this is owing not to any greater confidence reposed in you by our government, but to the sole adventitious circumstance of your commission, being dated a little before mine." We would ask any one who has studied man, if an order from a *general* would not be obeyed with more alacrity by a captain, than an order from a *captain* would be. To the one, unhesitating unreluctant obedience is instantly and cheerfully rendered: he is presumed to be more nearly connected with the chief fountain of power, and more intimately acquainted with the intentions of his government, than any officer of inferior rank. To the other obedience is rendered, but in a way which indicates rather dissatisfaction than pleasure, particularly if the order be given for a *disagreeable service.* He will doubt its propriety or necessity, and think himself as good a judge as the one from whom the order emanates. Pride of opinion, which, under proper regulations, is highly useful, but which, when brought into collision with official duty, becomes seriously injurious to the discipline and subordination of military and naval corps, would engender discontent, and obedience would not be yielded without reluctance. Such feelings could never, however, exist to a degree that would be injurious to the public service, where the rank, from which the order should proceed, should be unquestionably superior, to that of the individual receiving it. An admiral's order would promptly be obeyed by a commodore, so would a commodore's order be obeyed by a captain, for in such cases, the commodore or captain is awed by the rank of his superior; and desirous of enforcing his own authority over those placed under him, by setting an example of respectful and dutiful obedience to him, whom he dare not view in any other light than as his superior, holding a rank to which he may aspire, but has not yet gained. He is thus obedient, from a high sense of duty and a conviction of personal interest. He desires that all below him should respect *his rank* and yield obedienee to *his orders*; and he knows that if *his* rank be entitled to respect, that of *his superior* must be also to a *still greater degree.* This valuable naval and military principle thus becomes an object of self interest, and all unite in maintaining it, and in supporting order, discipline and subordination.

These views fully sustained by the experience of *our* navy, indeed we may add, by universal experience; and all the maritime nations of the earth, from time immemorial, have recognized and put in practice these principles of rank.

But independently of these considerations, there is another argument which the sound *practical œconomist* will not fail to perceive, let the rank be such as shall render the command efficient, and you impart the checking effectually all extravagant disbursements—all unnecessary expenditures; and the exercise of this power would produce a saving exceeding in amount, any additional expense attending the most improved organization of the service.

The public ships of the United States, now afloat, would, as heretofore observed, require ten thousand men to man them. These ships would form three respectable squadrons, each consisting of ships of the line, frigates, corvettes or sloops of war, or smaller vessels. Of these squadrons, the service might frequently require, that divisions should be temporarily made, as in cases where the object in view, might be gained by a less force than the whole squadron.

We should think, in organizing the command of this force, that an admiral, a vice admiral, a rear admiral, and a commodore for each division, would be necessary. Should the whole force be brought to act at any one point, then the admiral would take his station as commander in chief. If divided into three squadrons, he would take one, the vice admiral one, and the rear admiral one, and every division detached upon separate duty, would be placed under a commodore. An officer's commission ought, we should think, to bear on its face, his rank, functions, responsibilities, and the extent of his command, as far as may be practicable; if entitled to command a ship of the line, his commission should indicate it; and it would probably be advisable, that the following rank should be established for the captains.

Captain of a ship of the line; captain of a frigate—The sloops of war to be, as heretofore, commanded by masters commandant, and all vessels of inferior rate to be commanded by lietenants, specially appointed and commissioned, with rank between that of a master commandant and a lieutenant.

Each admiral should be entitled to have on board his flag ship, a captain of a frigate; and each commodore should be entitled to a master commandant.

The *first* lieutenants of all ships of the line, and of all frigates should have a distinct rank, regulated by the responsibilities and duties attached to their respective stations.

The corps of navy surgeons, composed generally as it is, of gentlemen of education, great professional attainments and experience, ought to have, at least, honorary rank; and we should think, in strict justice, that this corps should have distinct

grades, to be regulated by the extent of service. We can indeed, discern no good reason why this principle should not also be applied to the sailing masters, boatswains, gunners, sailmakers, and carpenters; so far as to give them relative rank in their respective corps.

But returning to commanding officers, we all know that in the British navy they have numerous orders of rank; so have they in France, Spain, Portugal, Russia, Sweden, Denmark, Naples, Algiers, Tunis, and even Tripoli. Experience, for centuries past, has demonstrated to them the necessity of rank in command, and they confer it with a view to efficiency—shall we reject the whole experience of the enlightened world?

Shall we disregard our own experience? Let us for a moment look back at the naval history of the late war with Great Britain, and we shall find that we had then, in name, though not in fact, numerous *commodores*—the captain, the master commandant, the lieutenant, and even the midshipman, commodore. Whence originated these names or titles? They originated in *necessity*, in the knowledge, which each individual in the navy posssessed, that *rank was essential to command; that success depended upon implicit obedience; and that obedience could not be enforced without rank;* that even imaginary rank was better than none. It was the rallying point—the centre of attraction; the fountain of orders; and although not unattended with evils, arising from the assumption of a grade, necessary but not legal; yet its good effects were seen and appreciated by the nation. As soon, however, as the bustle of war was over, it was found that many officers were greeted with titles not possessed by their seniors: hence, disorder, confusion and discontent pervaded the service, aud a public order confining the titles of officers to their legal commissions, became necessary, and was issued by Mr. Secretary Thompson.

This order, altho' strictly proper in itself, altho' imperatively required for the preservation of harmony and subordination in the service, was not, it is presumed, issued without regret. Many officers in our Navy, had fully and honorably earned high naval distinctions—To select one among the many instances existing: an officer in command of a small frigate went into the most distant seas, and creating by his victories a fleet of ships, manned them and put them into the national service—all hailed him as commodore—all united in the opinion that he was entitled to this distinction: yet the order adverted to "unshipped his stars, and degraded his title. This officer not only consented to the order, but expressed his approbation of it, before it was issued, and his conviction that the best interests of the service required it—thus affording evidence of that modesty and magnanimity which so generally

pervades the Navy of the United States—which, disclaiming every pretension not founded in law, willingly offer up as a sacrifice upon the altar of national good, individual feelings, however fondly cherished. It is fit and just that the world should know, that the *commodore* Porter who performed this distinguished service, is the present *captain* Porter—alike elevated and degraded by merit—Degraded!—not in the estimation of his country or of any individual in it—not in his laurels for they are fresh and blooming as ever—but in the title by which he was known, throughout the world, when engaged in achievments which drew the eye of the world upon him!

In March, 1800, (10th,) Mr. Secretary Stoddert, in a communication to Mr. Parker, chairman of the Naval Committee of the House of Representatives, earnestly recommended, that authority should be given to appoint two admirals, two vice admirals, and two rear admirals—and that their pay should be: one hundred and forty dollars per month and fourteen rations per day, for the admiral—one hundred and twenty dollars per month, and twelve rations for the vice-admiral—and one hundred and ten dollars per month and ten rations per day, for the rear admiral: altho' we had at that period no ship of the line and only eleven frigates, three ships of inferior rate, and twenty smaller vessels. He was then, as most of us now are "impressed with the conviction, that by a navy alone can we secure respect to our rights as a sovereign nation: that the best interests of the country imperiously demand that this system of defence sould be cherished;" and he believed, "that justice and policy required that the brave and experienced officer should be rewarded, and the young stimulated, by conferring on long and extraordinary skill and valor, the *usual* naval honors and distinctions."

CHAPTER XX.

Navy Yards—Number—Location—Cost—How procured—Observations thereon—Advantages—Timber Islands—Docks, appropriations therefor—Their importance as respects Naval efficiency and œconomy—President Jefferson recommends a Dock at Washington—Observations thereon—Docks recommended by Mr. Secretary Hamilton—Authorized, but law not carried into effect—Docks recommended by Commissioners of the Navy—Commodore Rodgers' Inclined Plane, &c. with docks—Advantages—Cost—Hauling up the Kent in England—Timber—Observations.

NAVY YARDS—DOCKS.

The United States own the following navy yards and islands, viz.

	Where situated.	*Number of acres.*	*Original cost of ground.*
Navy yards.	Gosport, Virginia,	16	$12,000
	Washington, Dist. Col.	37	4,000
	Philadelphia, Penn.	11	37,000
	Long Island, New York,	40	40,000
	Charlestown, Mass.	34	39,214
	Portsmouth, N. Hamp.	58	5,500
	Grover's island, about	350	7,500
	Blackbeard's island,	1600	15,000

The navy yards were purchased out of the appropriation of one million of dollars, made by the act of 25th February, 1799, for the building of six seventy four gun ships, &c.

There was no express authority to purchase these yards: it was, however, a measure of necessity. In building the frigates authorized in 1794, great inconveniences and losses were sustained in consequence of the places being so confined as not to admit sufficient room to make a proper disposition of the materials before they were put together. "It would not be hazarding too much to say that the same piece of timber has been removed from this cause twenty times over in Philadelphia, where economy in ship building is pretty well understood." These were private yards; and besides paying rent for them, the public had to erect slips, wharves, &c.—and it was ascertained that the expenditures for such objects up to

the year 1800, then wholly useless to the public, had "not amounted to less than two hundred thousand dollars." It was utterly impracticable to build the ships of the line in places so confined: hence, the department found itself so situated as to be incapable of executing the law for building such ships, without either renting or purchasing additional ground. To rent would have been justly considered inexcusable extravagance: for the construction of the necessary slips, wharves, sheds, and other indispensable conveniences, which could not be removed, and would therefore have become the property of the proprietors when the lease of the grounds should have ceased, was estimated, exclusively of the rent, to cost a sum fully equal to the purchase of the grounds. Although, therefore, there was no express provision of law authorizing the purchase of navy yards, yet the measure was considered as essential to enable the executive to carry the law for building seventy-fours into effect. The words of the law upon this subject are that "under the orders of the President of the United States, there shall be built, *within the United States*, six ships of war, of a size to carry, and which shall be armed with, not less than seventy-four guns each; and there shall be built, or purchased, within the United States, six sloops of war, of a size to carry eighteen guns each, or not exceeding that force; all which ships and vessels shall be procured, manned, and employed, as soon as may be, for the service of the United States; and *in part of the necessary expenditures to be incurred herein*, a sum not exceeding one million of dollars, shall be, and is hereby appropriated, &c.—See Act, 25th February, 1799.

It will, it is presumed, be conceded, that in all cases where the law is mandatory in its provisions; where it commands the executive to accomplish any given purpose, clothes him with a *general* power, and makes the necessary appropriation: all *minor* powers, essential to the execution of this purpose, are also given, by implication, although not particularly expressed. Admit a contrary construction, and while you clothe your executive with the general power of building ships, you deny to him the power of purchasing the timber and materials with which to build them. You can no where find in the statute referred to, any express power to buy a stick of timber or a copper nail; yet it would surely be extremely absurd to say, that because this necessary, subordinate, incidental power was not expressly delegated, it was therefore withheld. Suppose you commission a soldier in general terms, to go forth and fight the foe; in doing this he has to *raise his arm*: would you condemn him for this act of raising his arm, because it was not particularly enjoined in his commission? Would you say that he had transcended the power delegated to him? Would you not rather censure and cashier him, for an omission to exercise this minor incidental power?

At one time the executive was seriously censured, for having purchased these yards, without express authority: but this censure probably owed its orgin to an unhappy party spirit, which viewed every act of its rival with jealous and jaundiced eye, which, unrestrained by those just and generous sentiments we should always cherish towards each other in public as well as in private life, could discern no merit in any act, however judicious, of a political opponent. But these passions have passed away, never we trust to be revived. It is now considered as evidence of an upright independent mind, to approve the conduct of our political opponents and disapprove that of our political friends, according *as the conduct itself* may, in our dispassionate judgment, justify. The sound honest statesman, will often find himself placed in circumstances which constrain him to oppose those with whom he generally acts, and act with those he generally opposes—To support or oppose, indiscriminately, is considered as indicating intellectual imbecility, or something worse.

In these far happier times, few we apprehend can be found among the enlightened men of the community, who, upon examination of this subject, will say, that the executive erred in purchasing grounds for building yards. His legal authority for having done so, is fairly deducible, from the general provisions of the law, which required him to have six seventy-fours built, leaving the modus operandi to his discretion. As a measure of œconomy, it merits our most decided approbation; and its prospective advantages have been in a great degree realized. These yards, have been so far improved, that they now afford many of the most desirable facilities in ship building; and they will, it is confidently expected, in the course of a few years, be placed in a situation to enable the executive *promptly* to execute any extension of the naval establishment, which the national exigencies may demand.

Grovers Island and Blackbeard Island, were purchased under authority of the act of 25th February, 1799, entitled "An act authorizing the purchase of timber for naval purposes;" which act appropriated two hundred thousand dollars, "to be laid out in the purchase of growing or other timber, or of *lands on which timber is growing, suitable for the navy.*"

These two islands were represented to the government as having on them an extensive growth of live oak trees: a species of wood of incalculable value, in the construction of ships, justly considered as preferable to any other hitherto used, particularly for the frames of ships of war.

A great deal of valuable timber has been cut from these islands and brought into use in our navy. Much more is now growing on them and will in time be fit for navy purposes; but it is of very slow growth; probably if the young trees were carefully transplanted at proper distances apart, and cultivated, their growth might be precipitated. The experiment might be made at a trifling cost.

If these islands were cleared of every growth excepting the live oak, and the young trees were placed at suitable distances apart, so as to cover the whole grounds, and the grounds, particularly about the roots of the trees, were ploughed up occasionally, and kept clean, it is probable that our posterity would be able to draw from these sources, an extensive supply of the most valuable ship timber.

DOCKS.

Mr. Secretary Stoddert, in his official communication to the naval committee, of the 29th December, 1798, thus introduces this subject. "Docks will be highly necessary in repairing our ships, to avoid the tedious, expensive, and sometimes dangerous operation, of heaving down. They can undoubtedly be made in the Eastern States, where the tides rise very considerably; probably in New Hampshire, Massachusetts, or Rhode Island. Whether they can be made with equal advantage, or to answer valuable purposes, to the southward of Rhode Island, or New York, I cannot form any accurate judgment, from any information I possess; though it would, unquestionably be a great public advantage to have a dock near the entrance into the Chesapeake Bay, and another still further south, if circumstances will admit."

Upon this recommendation, Congress, by the act of 25th February, 1799, authorized the erection of two docks in suitable places, under the direction of the President of the United States, for the convenience of repairing the public ships and vessels; and appropriated fifty thousand dollars towards effecting that object. This sum was found to be so entirely inadequate to the accomplishment of the purposes for which it was intended, that no portion of it ever was applied to the erection of docks.

The importance of docks in the repair of our large ships, thus early foreseen, has been acknowledged by every experienced officer and architect in the Navy.—Many of our most enlightened officers, who had witnessed in other countries, the great advantages, and facilities, afforded by docks, have expressed, on various occasions, the most earnest solicitude to have them established in our country—Commodores' Barry, Nicholson, Dale, Truxtun, Murray, Barron, Rodgers, Preble, Bainbridge, Decatur, Chauncey, and Stewart, have at different times earnestly recommended their erection; and it is known that every experienced officer in the service considers them *essentially necessary* in the repair of ships of the line and frigates, and highly useful in repairing those of less size. The gentleman who succeeded Mr. Stoddert in the office of Secretary of the Navy, Mr. Smith, was particularly anxious to establish docks, as a measure of great œconomy, in the saving of

time and labor.—He was sensible of all their advantages; but it was not possible to obtain the sanction of Congress, during that period. He had sufficient employment in keeping up the establishment, limited as it then was.

In his message, of the 15th December, 1802, President Jefferson recommended the erection of a dock at the Navy Yard at Washington. "Presuming it will be deemed expedient to expend annually a convenient sum towards providing the naval defence which our situation may require, I cannot but recommend that the first appropriations for that purpose may go to the saving what we already possess. No cares, no attentions, can preserve vessels from rapid decay, which lie in water, and exposed to the sun. These decays require great and constant repairs, and will consume, if continued, a great portion of the monies destined to naval purposes. To avoid this waste of our resources, it is proposed to add to our navy yard here, a dock, within which our present vesels may be laid up dry, and under cover from the sun. Under these circumstances, experience proves that works of wood will remain scarcely at all affected by time. The great abundance of running water which this situation possesses, at heights far above the level of the tide, if employed as is practiced for lock navigation, furnishes the means for raising and laying up our vessels on a dry and sheltered bed. And should the measure be found useful here, similar depositories for laying up, as well as for building and repairing vessels, may hereafter be undertaken at other navy yards offering the same means."

It will be remembered by us all, that *Mr. Jefferson's dry docks*, as they were called, became with many a subject of ridicule; others, more intelligent, opposed them because they conceived that if erected, they would preserve our vessels from decay. It is needless to mention, that the latter were openly and avowedly hostile to a Navy; their opposition was frank and manly, and their subsequent honorable recantation has proved, that their opposition arose from the belief they then erroneously but honestly entertained, that the best interests of the country forbade the construction of a navy. In their view then, it was good policy to allow the vessels to decay; and they were perfectly consistent in voting against dry docks, or any other docks. Others really friendly to the navy, with great confidence expressed the opinion that vessels could not be preserved from decay in dry docks—and we were entertained by very learned dissertations, as to the various descriptions of gas which vessels so situated would engender, and which we were told would occasion their sudden destruction by producing dry rot, &c. Hence the opposition prevailed, and Congress refused to authorize the dry docks recommended by Mr. Jefferson; but notwithstanding all that has been said in opposition to them, experience—the experience of every individual, has proved, and is daily affording proof incontestible, that

wood placed in a dry situation, protected from the sun, rain, and moist piercing winds, yet admitting pure dry air, "will remain scarcely at all affected by time"—witness our chairs, tables, and other furniture. In our humble conception, one grain of experience is worth a ton of theory—one fact is worth a volume of arguments; and it is a well known fact, that a ship, built at Venice, after remaining under cover for more than sixty years, was found to be in all respects perfectly sound.

Mr. Jefferson's plan of "raising and laying up our vessels" under shelter, by employing the agency of running streams of water, having their source elevated greatly above the level of the tide water, "as is practiced for lock navigation," was probably liable to well founded objections, on the ground of expense, if on no other. A system of docks upon that principle, might have cost millions; but his opinion, as to the durability of ships, when laid up dry and under cover from the sun, is certainly a sound philosophical opinion, sustained by universal experience.

In the year 1811, the subject of docks, was again revived by Mr. Secretary Hamilton, who, in a letter addressed to the honorable Mr. Cheves, 3d December, 1811, thus notices it.—"The United States, do not own a dock; to repair our vessels, we are compelled to heave them down; a process attended with great labor, considerable risk, and loss of time; and upon a ship thus hove down, the carpenters cannot work without much inconvenience. Hence the department is subjected to much expense, which might be avoided, by the construction of one or more suitable docks. Such a provision, even in the present state of our navy, would be valuable for the reasons above stated; but if Congress should determine to have built vessels of a rate superior to those we now have, it will certainly be found to be indispensable. The accuracy of this remark will be admitted, when we consider the force requisite to heave down a ship of the size of even a frigate, and the straining of her frame, when this is done on the principle of the lever."

In the "act suplementary to the act for increasing the Navy," 3d March, 1813, a section is introduced appropriating $100,000 for the purpose of establishing a dock-yard for repairing the vessels of war, "in such central and convenient place on the seaboard as the President of the United States shall designate." This law was not carried into effect, owing, probably, to the difficulties and dangers which arose out of the war in which we were then engaged; and which did not terminate until the appropriation must have been carried to the credit of the sinking fund—another reason was, probably, the sum appropriated was insufficient for the object.

The commissioners of the navy, soon after their installation into office, 2d May, 1815, in an official communication to the Secretary of the Navy, assured him, that in their opinion,

"dry docks are absolutely necessary," and they recommended, the construction of three, sufficiently large to dock the largest class of ships, and that one of the three should be commenced as early as practicable at the navy yard at Charlestown.

On referring to the appropriation laws, it will be found that Congress have annually appropriated for "navy yards, docks, and wharves;" but no portion of these appropriations has ever been applied to the construction of docks for the preservation or repair of ships. Timber docks, ware houses, sheds, wharves, work shops, &c. together with the pay of superintendents, storekeepers, clerks, and laborers, have absorbed the whole sums appropriated from year to year, excepting a sum of about forty-five thousand dollars, which was most judiciously applied to the erection of an inclined plane at the navy yard at Washington in the year 1821—2, with various fixtures and apparatus for hauling up ships, and a house for their preservation from the weather.

This "noble invention" owes its origin, in part, to the necessities of the service. The senior officer whose every faculty of mind has, for more than twenty-five years, been assiduously devoted to the advancement of the best interests of the navy, who was among the first to recommend docks, feeling as he did, the indispensable necessity of having them: anxious to promote a system of sound practical economy, and add, by all the means in his power, to the popularity of the navy, at an early period of the service made several experiments, which satisfied him that the means of hauling up ships of any burthen might be found; and that such means might be connected with docks. He witnessed with great solicitude the decay of our ships lying afloat in ordinary, and the great expense to which, in such a situation, they unavoidably exposed the government. Hence, his mind was for years engaged in discovering these means. He at length happily succeeded; and the discovery probably compensates the nation for the injury sustained in consequence of Congress not having previously made full and ample provision for the construction of docks.

During the last session of Congress, the President made the following communication upon the subject of the inclined plane, in connection with docks, as invented by commodore Rodgers:

To the House of Representatives of the United States:

I transmit, herewith, a letter from the Secretary of the Navy, containing one from captain John Rodgers, President of the Naval Board, accompanied by a description of the Inclined Plane, Dock, and fixtures, for hauling up ships, and an estimate of the cost of materials and workmanship necessary for the completion of a dock and wharves, proposed to be connected with the Inclined Plane constructed at the Navy Yard, Washington, and recommend the same to the attentive consideration of Congress.

It is confidently believed that this invention combines advantages so highly useful as to justify the appropriation required.

JAMES MONROE.

NAVY DEPARTMENT,

January 17, 1823.

SIR—I have the honor to submit to your consideration a letter received from captain John Rodgers, President of the Naval Board, accompanied by a description of the Inclined Plane and Dock, and a specification of their properties, and advantages for building, preserving, and repairing ships of war, of every class.

I have carefully examined the subject detailed in these papers, and I fully accord with the President of the Naval Board as to the utility and great importance of the Inclined Plane and dock, for the purposes mentioned in the specification; and I recommend the same to your favorable consideration, with a view to obtain your sanction to an application to Congress for an appropriation of a sum of money sufficient for the construction of a dock and wharves, in connection with the Inclined Plane erected in the navy yard, Washington.

I transmit, herewith, an estimate of the cost of materials and workmanship, deemed necessary by Mr. Doughty, the naval constructor, for the completion of the dock and wharves, contemplated to be constructed at the navy yard, if the same shall meet your approbation, and an appropriation be obtained for the object.

A model and draft of the dock and wharves are deposited in this Department, and they will be submitted to examination and the several parts be fully explained by captain Rodgers, at any place that may be designated as most convenient for the purpose.

I have honor to be, with great respect,
Sir, your most obedient servant,

SMITH THOMPSON.

The PRESIDENT, *of the United States.*

WASHINGTON, 23*d December*, 1822.

SIR: The accompanying description and specification of the properties and advantages of the inclined Plane and Dock, for preserving, building, and repairing ships of every class, are respectfully submitted to your consideration. The invention is of so much national importance, in my estimation, as to induce me to request that you will be pleased to examine it particularly; and, should the result of such examination produce in your mind the same conviction that it has in mine, I would, respectfully, request of you to lay the subject before the President of the United States, who will dispose of it in such manner as the best interests of the nation may, in his opinion, require.

The experiment made at this yard, under many disadvantages, has established the fact, that a ship of any magnitude may be hauled up on an inclined plane, and placed under cover, perfectly protected from the sun, rain, &c. without incurring the least risk; and universal experience fully proves, that a vessel, placed in such a situation, may be preserved for almost any length of time. The frigate Potomac, the vessel hauled up, may be seen under a house at the Navy Yard, where she may be preserved, *without further expense*, until she shall be required for actual service.

The whole plan, which is shown in the drawings herewith, embraces a dock and wharves on each side, in addition to the inclined plane and house, as now erected in this yard.—Such dock and wharves would afford all the advantages and facilities of any other dock now in use, intended for the repair of vessels, while they can, probably be completed for less than one sixth of the expense of such as are used by other nations, for similar purposes. It is believed, that the sum of fifty thousand dollars would be sufficient to complete the dock and wharves.

From various experiments, made since the Potomac was hauled up, it has been satisfactorily ascertained, that, by using friction rollers, as suggested in the specification, the time required, and power necessary to haul a ship up, may be diminished so far, that the expense of the operation would not amount to a sum worthy of any consideration. With a plane having the inclination of the ways on which ships are ordinarily built, one hundred and forty men, with three three-fold purchases, (falls of ten inch rope,) would I am fully persuaded, be sufficient to haul up, at the rate of four feet in a minute, the largest three decker in the world, and this, too, without straining her in the slightest degree.

I have the honor to be,
With great respect, Sir,
Your most obedient servant,
JOHN RODGERS.

HON. SMITH THOMPSON,
Secretary of the Navy.

General description of "Rodgers' Marine Rail-way, or Inclined Plane, Dock, and fixtures for hauling up ships."

Two walls, of stone or brick, solid or arched as far as high water mark, or a double tier of piles, firmly driven, and so braced, transversely, diagonally, and horizontally, that each pile, by which the plane or rail-way is supported, shall receive its necessary proportion of the weight it is intended to bear in a perpendicular direction, without, in any degree, being liable to the effect of lateral pressure, which is to be carefully guarded against. These walls, or tiers of piles, are erected or driven parallel to each other, at such distance apart, depth, and height, and projecting so far into the water, as to adapt them to the largest size vessel proposed to be hauled up for repair or preservation, or to be built and launched. They are raised or driven so as to form inclined planes, precisely of the same height and inclination. The inclination may be as much as half of an inch to a foot, or more if necessary: though the greater the inclination, the greater must necessarily be the purchase to haul up a vessel. Above high water mark, on fast ground, strong pillars of stone, or substantial wood piles must be used; and the walls or tiers of piles may be extended at pleasure.

On these walls or tiers of piles, two platforms or rail-ways are erected, fixed, and braced so as to be immoveable, the inner sides forming clear uninterrupted parallel lines, of twenty inches width, more or less, and constituting what is called the ways. These ways may, and for very heavy vessels ought to, be plated with iron, or other metalic substance. The surface may be perfectly smooth, or grooved so as to admit cylinders, or the male and female groove, or friction rollers.—The sides of the cradle, which move on these ways, and come immediately in contact with them, ought also, for very heavy vessels, to be plated underneath with iron, or other metalic substance, and may be perfectly smooth, or grooved so as to admit cylinders, or the male and female groove, or friction rollers, adapting them to the ways, and easing the friction. The inner sides of the ribbands to be fixed with friction rollers, and the outer sides of the slides plated with iron, or other metalic substance—or the outer sides of the slides may be fixed with friction rollers, and the inner sides of the ribbands plated.

In the experiment made of hauling up the frigate Potomac, it was an object with the inventor, to demonstrate the correctness of the principle at the least expense, consistently with public utility. He was fully apprised of the various means, hitherto discovered and used, by which friction and the attraction of cohesion might be overcome; but he was at the same time sensible, that the adoption of those means would unavoidably involve additional expense. Perfectly confident of success without them, from a full persuasion that the principle was correct—a confidence arising from his own long and delibe-

rate reflections upon the subject, and from a successful experiment upon a small scale—he made the experiment of hauling up the Potomac in the presence of the President of the United States, Senators, Representatives, heads of Departments, foreign Ministers, and a numerous concourse of citizens, without any apprehensions as to the result, using only for both slides and ways, wood of perfectly smooth surfaces. He well knew that two soft yielding bodies, pressing against each other with a weight, equal to one thousand seven hundred tons, would occasion great friction and cohesion. Yet, notwithstanding these great disadvantages, the experiment fully confirmed his anticipations, and the ship was hauled up with comparative ease and perfect safety.

By rail-ways or inclined planes, thus constructed, ships of every class, from a first rate down to a schooner, may be drawn up with ease and convenience, under a house above high water mark, either for preservation or repair; or a ship may be built under a house, having such ways attached to it, and launched with more facility and ease, and at the same time without any of the risks of straining or hogging her, incident to every mode of launching now in use.

They have important advantages over the docks now in use, of hauling up for preservation one or more ships, according to the extent of the plane; while, at the same time, the space between the rail-ways, at the outer part of the planes, projecting into the water, forms a complete wet and dry dock for repairing vessels of every denomination, with the greatest ease, convenience, and expedition. To make the outer part of the plane a dry and wet dock, nothing more, it will be observed, is necessary, than to build a narrow wharf on each side, twenty or thirty feet wide, according to the depth of water and strength required, parallel to the inside of, but embracing both tiers of piles, so as to form a gun wharf on one side, and a spar wharf, or wharf for any other purpose, on the other side, of such dimensions as may be required. The inner part of the dock thus formed, ought to be faced with stone, by which means it will be rendered permanent. In the experiment already made in hauling up the frigate Potomac, of one thousand seven hundred tons weight, including the chains, beams, &c. confining the cradle in which she was suspended, there was nothing to give efficiency to the piles on which the planes or rail-ways rested, but wooden braces and shores to prevent lateral pressure; of course the two wharves before mentioned would, in addition to them, not only render the work permanent, but ensure it against the effect of lateral pressure.

In some situations, building several successive planes abreast of each other, at the required distances apart, might be found expedient, and probably more economical, than to give them great extent in length. For instance, three planes properly

constructed, the centre one proportionally stronger than either of the others, because it would have two ways, one on each side, would admit of one or more vessels abreast, and there would be a saving in the cost.

FOR HAULING UP.

Beam pieces of sufficient size and length, and scarfed in the middle for convenience, are placed athwart the vessel, through each lower gun-deck port, projecting sufficiently from the sides of the vessel so as to embrace, with firmness, the sides of the cradle, on which she is drawn out of the water; and to effect this by uniting all parts firmly, blocks under the beams, of a size corresponding to the sheer of the vessel, are placed so as to make the plane of the lower surface of the slides of of the cradle correspond with the surface of the plane on which she is hauled up. To these beams, blocked and wedged according to rise and fall of tide, or length of piles, and secured both above and below, as well as laterally, by braces connecting them to the vessel, so as effectually to prevent their yielding, in any degree, from the position they are meant to maintain, and connected underneath by the slide part of the cradle, on each side the cradle is firmly attached.

The cradle consists of various parts, shown in the drawings, and, among others, the following:

The slides, which come immediately in contact with the ways.

The wooden braces, or shores auxiliary to, and supporting, the chains, to sustain the upper works of the ship, independent of the chains; thereby relieving the chains of the weight of all that part of the ship above the lower gun-deck beams.

The vertical slings, composed of chains of iron, of srength adapted to the size and weight of the vessel to be hauled up. They embrace the vessel from her keel to her lower gun-deck ports. They are shackled to the keel-straps, and are thence taken up to the beams to which they are attached by a strong screw shackle, by screws and wedges, or by wedges alone: the latter is, probably, the better mode. Strong beam stirrups are shackled to the chains, admitting of wedging, &c. to tighten the chains. The keel-straps pass under the blocks, to which they are firmly bolted or screwed. The blocks prevent the keel from galding. They have each a jog on one side, and are let down so as to jog, alternately, starboard and larboard; so that, when the chains are secured or wedged to their proper positions, the vessel is perfectly steady on her keel. All these fixtures are put on when the vessel is afloat.

The vertical slings, which form so essential a part of the cradle and constitute so great a portion of the expense, if made full large for a frigate, will answer for hauling up a seventy-four or one hundred gun ship. The height of those ships being so much above the rail-way, admits two or three tiers of shores or wooden braces, from the sides to the ends of the

cross-beams, instead of one, as is used in a frigate; thus taking off from the slings all the weight of the vessel above the lower gun-deck.

The purchases for hauling up a vessel may be multiplied at pleasure; but it would not be advisable to apply any main purchase that should not embrace the whole body of the ship, so as to avoid every possible injury from a strain on any particular part of the ship. The main purchases used in hauling up the Potomac, embraced the whole body of the ship. The side purchases were attached to the slides.

Steam or horse power may be used in hauling up; though men will be found abundantly sufficient; and they are manageable, and will generally be the cheapest.

Iron chains may be used instead of rope for the main purchases; though either will answer well.

The wharves heretofore mentioned being finished, a coffer dam is formed across the entrance of the dock, (or in this state more properly a slip;) the gate made, hung, and shut, the water is pumped out, the foundation laid for the vessel, and the dock will be complete.

Sloops, or other small vessels, if similar docks and planes are not constructed for their particular use, may, with facility, be repaired, or preserved, in the docks and planes intended for larger vessels.

Small vessels may, and perhaps, large vessels might, be hauled up upon skids, with or without rollers. It is thought, however, for vessels larger than a sloop of war, that a rail-way will be found greatly preferable.

Advantages of Rodgers's Marine Rail-way, or Inclined Plane, Docks, and fixtures, for hauling up ships.

For repairing ships, this invention combines all the advantages of a dry dock.

For building, no preparation hitherto known is equal to it; because while it furnishes all the facilities of a building slip, upon the most approved construction, it has, in launching, a decided preference over every other means heretofore practised. A vessel built on the inclined plane, may be launched without incurring the slightest risk of hogging. She would descend the plane gradually, bearing equally upon it, until she becomes completely water-borne. There can be no plunge, as is the case from a slip.

For the preservation of ships not wanted for immediate service, it is confidently believed that no plan can be superior to it. A ship when built, may be suffered to remain on the stocks until she is wanted; or a ship afloat may be taken up with perfect ease and safety, and placed in a state of preservation, under cover, protected from the sun, rain, &c. and all the evils thence arising.

It may, then, safely be affirmed, that this invention combines all the advantages of all the various and most approved means heretofore used, for repairing, for building, and for preserving, that for launching, it is greatly preferable to any plan heretofore practised or made known; and the experiment made in hauling up the Potomac, has demonstrated, beyond all question, that any ship, however large, may, by the means embraced by this invention, be taken out of the water, and moved up on fast land, any distance required, with perfect ease, and without incurring the least risk of straining the ship, or otherwise injuring her in the slightest degree.

All practical men concur in the opinion, that many and great advantages arise from building ships under cover; and that mechanics can, in the same period of time, taking the year throughout, do more work when under cover, and protected from the scorching sun and rains of summer, the piercing cold, frost, snow, sleet, and rains of winter, than they can possibly do, exposed to all these disadvantages, will not, it is presumed, be contended by any person of any experience.

Mechanics will work under cover for reduced wages: at 12½ per cent. less wages, they can make more money—because they lose no time.

They can perform at least twenty per cent. more work throughout the year, under cover, than they can do if exposed to the weather.

By building under cover, there is, then, a mutual gain on the part of the mechanic and his employer. The mechanic makes more money and his employer gains in reduced wages, and in having twenty per cent. more work done in the same time at such reduced wages. Suppose the wages of mechanics, building in the ordinary way, to amount to $100,000; by building under cover you save $22,500; or thirty two and a half per cent. whatever the wages may amount to.

This, however, is not all. The gain of time is a highly important consideration, and this the employer gains. In time of war, the gain of a single day, and sometimes the gain of even an hour, is all important.

On examining the invention, it will be found, that none of these important advantages have been overlooked. It embraces them all, and in the best and most improved way.

A ship built under cover is known to be far more durable than one built in the ordinary way. If circumstances would permit her remaining under cover until she should become thoroughly seasoned, or should her timbers be thoroughly seasoned before she is built, there would be no computing her increased durability. Her repairs in twenty years would, probably, not be equal to seventy-five per cent. of her original cost; whereas built in the ordinary way, they might, in that period, be safely estimated at one hundred and fifty per cent. more than her original cost.

If the system of building under cover had been adopted at the commencement of the navy of the United States, say in 1798, there would have arisen, by this period, a saving certainly not less than *five millions* of dollars, arising from the increased durability imparted to the vessels by building them under cover; exclusively of the saving of 32½ per cent. in the first cost of the vessels, as heretofore stated.

In the United States we have no docks; nor have we any way of preparing our ships for repair, but by heaving them down; a process tedious, very expensive, and highly dangerous, particularly to large ships, which are always, in a greater or less degree, injured by it: nor is it possible to place a vessel hove down in such a situation as to enable the mechanics employed in her repair, to work on her to the best advantage: much time will unavoidably, be lost.

The advantages and œconomy of docks, upon the principle of this invention, in repairing ships, when compared with the ordinary mode in the United States of heaving down, are innumerable. The vessel can be taken into dock with perfect ease and safety, and there placed in the position most favorable for her thorough examination and repair, from her keel up. Every facility to a minute examination and repair, and every advantage to the mechanics in performing their work, is afforded.

Putting aside the risks and the loss of time in heaving down, it may be safely stated that the labour of repairing in a dock of this description, would be at least one-third less than the the labor of repairing a vessel hove down.

Docks upon the principle of this invention, are preferable to the docks in ordinary use; because when the ship shall be taken into dock, and the gates or entrance way closed, there would not be more than half the usual quantity of water to pump out. Their cost, too, is much less, while their durability will be equal.

The cost of the rail-way, and house over it, if the whole should be charged to the invention, would not exceed the expense of heaving down a forty-four twice, if the additional labor of repairing in this way be included; nor would it exceed the cost of repairing a ship, built in the ordinary way, after remaining five years in ordinary afloat.

The railway, with the house, dock, and all the fixtures for hauling up, would not, it is confidently believed, cost exceeding one hundred thousand dollars. It is indeed believed that ninety-five thousand dollars would be sufficient to construct them of sizes sufficient for the largest sized ship; and this estimate is predicated upon an extent of railway sufficient to admit of one such ship being laid up in ordinary in a state of perfect preservation above the dock; while the dock would admit the repair of another at the same time.

One dock at each navy yard in the United States, and one set of fixtures for hauling up at each, would probably, be sufficient for some time to come.

The fixtures for hauling up, that is the cradle, composed of vertical slings, beams, &c. as particularly described in the specification and drawings, may be estimated to cost eight thousand dollars; the actual cost of the slings, beams, stirrups, and keel straps, complete, being 6,989 22

And the beams and blocks are estimated at 1,010 78

$ 8,000

But the whole cost of the railway and house should not be charged to this invention, because they furnish conveniences which must be provided, whether the railway and house be erected or not. Among these conveniences may be enumerated a shelter for masts, spars, boats, water casks, guns, &c.; also two wharves. For these conveniences, which may fairly be estimated at one fifth the cost of the railway and house, the invention is justly entitled to credit.

For the preservation of ships not wanted for immediate service, the invention claims, justly it is conceived, pre-eminent advantages, by providing the most effectual means of preservation, and by reducing many hundred per cent. the *annual* expense of taking care of them.

It will, it is presumed, be at once conceded, that no better plan of preserving ships than that of taking them out of the water, and placing them in a situation perfectly dry, under cover, protected from the sun, rain, snow, sleets and piercing winds, yet admitting a free circulation of pure dry air, can be devised; and that no argument can be necessary to sustain a position so self evident. It is proper, then, to proceed to show the annual saving in expense.

In estimating the value of the annual saving, we must consider:

1st. The annual expense saved in the care necessary to be taken of them.

2d. The annual deterioration avoided by placing the vessels in a situation where, like the furniture of a house, they can sustain no injury.

Suppose a navy to consist of twelve ships of the line, twenty heavy frigates and twenty sloops of war: that of this navy two ships of the line, six frigates, and ten sloops, are all that is required for active service; leaving ten ships of the line, fourteen frigates, and ten sloops, to be laid up in ordinary, and preserved until they shall be wanted for service.

The following table shows the cost, at this time, in the United States, of keeping in ordinary, afloat, one ship of the line, one forty-four, and one sloop. It also presents an estimate of the annual deterioration, which is confirmed by experience

It then shows the annual expense to which, if laid up in ordinary, under cover, as is provided for by the invention, they would be subject; and deducting the amount of these expenses from the amount accruing, if in ordinary afloat, the annual saving is shown in each class of vessels.

Rate of vessels.	AFLOAT IN ORDINARY.					UNDER COVER,&c			Whole annual saving.
	No. of men required.	Pay rations, repairs, and contingent expenses.	Medicines and hospital stores.	Whole annual expense.	Annual deterioration.	Number of watches.	Annual expense.	Annual deterioration.	
74	25	$8,932 50	250	9,182 50	10,000	3	900	0	$18,282 50
44	18	6,802 75	200	7,002 75	6,000	2	600	0	12,402 75
Sloop	10	3,564 50	100	3,684 50	2,500	1	300	0	5,864 50

The number of men, as stated in the above table, is the number at this time allowed. Some of them are, however, occasionally employed on objects not so justly chargeable to the ships. We will, therefore, make a deduction from the expenses above stated, proportioned to the services rendered on objects other than the ships—twenty men for a ship of the line, fifteen for a forty-four, and seven for a sloop, would probably be sufficient to ventilate, and to keep the ships clean, dry, and tight. On this ground, instead of the annual saving, as above exhibited in the table, a reduction in the saving is admitted, so as to bring down the annual saving

In a 74 to - - - - -	16,000
In a 44 to - - - - - -	11,000
In a sloop to - - - - -	4,500

Then the saving, annually, in keeping ten ships of the line, fourteen frigates, and ten sloops, under covers, such as are provided on the marine railway, would be

10 ships of the line, at	16,000 -	160,000
14 frigates	11,000 -	154,000
10 sloops	4,500 -	45,000
		$359,000

In making this estimate, the temporary sheds erected over vessels afloat in ordinary, for the preservation of their upper works, the wear of cables, &c. have not been taken into consideration. These would form a considerable item, for which the invention should have credit, because it provides a much

more effectual covering for the whole body of the vessels, than temporary sheds, which protect only their upper works, and renders the use of cables utterly unnecessary.

It has been stated above, that one dock at each navy yard in the United States, would, probably, be sufficient for some time to come. But economy would probably suggest the having three docks at each yard; one for the largest size ships, one for frigates, and one for sloops of war: so that a vessel of each class might be repairing at each yard at one and the same time.

A dock, as heretofore observed, with an extent of railway, admitting one ship of the line to be laid up under cover, and another to be repaired at the same time, together with a house over the whole, and all the fixtures for hauling up, would not cost exceeding $100,000.

A dock, &c. adapted to a frigate, would cost considerably less; and one adapted to a sloop of war would cost still less. Though in one for the largest size ship, any vessel of inferior size may be repaired.

Docks, with rail-ways, &c. of size adapted to vessels still smaller than sloops of war, would, probably, be found advisable. Their expense compared to the value of the vessels, would be inconsiderable.

By a system of docks for repairing, connected with rail-ways and houses for building, and for hauling up and preserving vessels in ordinary, adapted in their dimensions to the several classes of vessels, you would, at all times, be enabled to build to every advantage; to repair most effectually and economically, and to keep in a state of perfect preservation, and constant readiness for service, all vessels not required for immediate service, together with their masts, spars, boats, water casks, guns, &c. all under the same cover, ready to be put on board at a moment's warning. You might thus calculate your actual naval force, with as much precision as you could count your muskets in an armoury.

Advantages of "Rodgers' Marine rail-way, dock, and fixtures, for hauling up," briefly enumerated.

In building ships—A saving in labor of at least 32 1-2 per cent. a durability so much greater, as to be equal in twenty years to at least 75 per cent. and a great gain in point of time.

In repairing—When contrasted with the plan of heaving down—every risk avoided, 33 1-3 per cent, gained in the labor—a more perfect examination, repair, and greater despatch, also gained.

In ordinary—When contrasted with vessels in ordinary afloat, decay effectually guarded against: ships kept in a state of perfect preservation, so as to be prepared for service at the shortest notice, and so great a reduction in the actual annual

expenses, that they would not be more than one-twentieth part of what they are at present.

In launching—Hogging and every possible risk effectually guarded against.

The inventor, after having made every inquiry in his power, as to the expenses of the navies of other countries, and examining minutely the expenses of our own navy, has no hesitation in expressing, in the most decisive terms, his opinion, that, by adopting, in its full extent, the proposed system, the United States would save, annually, in time of peace, a sum fully equal to one-fourth of the annual expense now incurred in building and repairing ships of war; and that the expense of keeping them in ordinary afloat, would be reduced so far, that they would not exceed one-twentieth part of the expenses at this time incurred.

With a plane, having the inclination of the ways on which ships are ordinarily built, 140 men with three three-fold purchases, (falls of ten inch rope,) would be sufficient to haul up at the rate of four feet in a minute, the largest three decker in the world, and this, too, without straining her in the slightest degree.

From the best estimate that can be formed at this time, it is believed that a dock can be attached to the railway and house as now constructed in this yard, and completed, so as to give all the advantages of a wet and dry dock, for the sum of $50,000, as shown in the estimate herewith, prepared by Mr. Doughty, the Naval Constructor. It is, however, believed that this estimate is too high, as labor and materials of every description appear to be estimated at from five to seven per cent. higher than will be found to be the actual cost.

ESTIMATE of the cost of the materials and workmanship of a Dry Dock, to be built within the "Inclined Plane," as per draught and model.

Prepared by WILLIAM DOUGHTY.

WHARVES.	26,400 cubic feet of logs,	a 25 cts.	$6,600 00	
	2,250 do. do. for ties,	25	550 00	
	800 feet of eight inch plank,	24	192 00	
	360 do. three do.	9	32 40	
	14,970 lbs. of square iron for bolts,	7	1,047 90	
	2,000 tree nails,	30	60 00	
	1,400 days of workmanship	1 50	2,100 00	
	200 perches of stone, for sinking wharf,	1 00	200 00	
	Carried over,			10,782 30

			Brought over.	10,782 30
COFFER DAM.	39,480 feet of eight inch plank,	a 24 cts.	$9,475 20	
	798 cubic feet of logs,	25	199 50	
	3,000 lbs. square iron bolts,	7	210 00	
	6,533 feet of four inch plank,	12	783 96	
	1,000 lbs. spikes,	10	100 00	
	150 perches of stone, for sinking boxes,	1 00	150 00	
	400 cubic yards of earth, for filling between coffer and wharves,	25	100 00	
	2,070 days workmanship,	1 50	3,105 00	
				14,123 66
DOCK.	23,798 cubic feet of logs,	a 25 cts.	$5,949 50	
	21,499 lbs. of iron,	7	1,504 93	
	7,550 feet of eight inch plank,	24	1,812 00	
	400 do. four do.	12	48 00	
	9,000 do. three do. platform and steps,	9	810 00	
	3,000 do. three do. for stages,	9	270 00	
	5,200 do. six do. for bottom,	18	2,736 00	
	5,875 lbs. of spikes,	10	587 50	
	2,200 days work,	1 50	3,300 00	
	400 do. caulking,	1 50	600 00	
	Oakum, &c.		300	
	Composition metal, &c. for gate,		300	
				18,217 93
Contingencies.—Moving timber, making platforms, tallow, &c. &c.; 1,340,509 gallons of water to be pumped out,			4,600 61	
9,102 cubic yards of excavation,		a 25 cts.	2,275 50	
				6,876 11
				$50,000 00

The President's communication, with the documents accompanying it, were referred to the Naval Committee of the House of of Representatives, who, having fully satisfied themselves, as to the great national import ce of the discovery, reported to the House the following op ion:—

The Committee on Naval Affairs, to whom was committed, a message from the President of the United States upon the subject of the Marine Railway, or Inclined Plane,

REPORT:—

That they have given due attention to the documents accompanying the message of the President, and have also examined the model of a Dock, proposed to be constructed in connexion with the Inclined Plane already constructed at the Navy Yard, in the City of Washington; and they are of opinion that the plan proposed is well adapted to the object of building, repairing, and preserving the public vessels, and that an appropriation ought to be made for the purpose of carrying into effect the plan proposed, and completing the Railway and the Dock at the Navy Yard aforesaid; for which purpose they recommend the following resolution:

Resolved, That the sum of fifty thousand dollars ought to be appropriated for the purpose of constructing a Dock and Wharves, for building, repairing, and constructing vessels of the United States, at the Navy Yard in the City of Washington.

The report of the committee was approved by Congress; and by act of 3d March, 1823, an appropriation of fifty thousand dollars was accordingly made, for building a dock in connection with the inclined plane, at the Navy Yard at Washington.

Preparatory arrangements are making for carrying this law into effect, and we may indulge the hope of witnessing its completion, in the course of the ensuing year.

This is justly considered one of the most important measures ever passed by Congress, in relation to a navy. When the system shall be completed, the nation will realize a saving of many hundred thousand dollars, annually; every ship we possess, will be kept in a state to be prepared for actual service at the shortest notice, and our facilities for building and repairing, will fully equal those possessed by any other nation. And what will be the probable cost of gaining these facilities? Suppose we have seven building yards—that at each we construct three inclined planes, with docks, of sizes suited to ships of the line, frigates, and sloops of war; those of the largest size, are estimated to cost one hundred thousand dollars each, the second size, eighty thousand dollars, and the third, fifty thousand dollars, then

7	at	$100,000	700,000
7	at	80,000	560.000
7	at	50,000	350,000
			$1,610,000

Thus, probably, for less than two millions of dollars, the whole system may be completed.

What the docks of Great Britain have cost, we are unable to say; but there is reason to believe, that they have cost tens of millions sterling.

In the Æncyclopedia Britannica, we find that *dry* docks are estimated to cost from twenty to one hundred thousand pounds sterling each, according to the size of the ship intended to be admitted, and the nature of the ground on which they are constructed.

By the estimate of expenses for the year 1822, printed by order of the House of Commons, now before us, it appears, that the amount required, for completing the proposed works, at Woolwich, Chatham, Sheerness, Plymouth, Plymouth Sound, Bermuda, Gibraltar, Trincomalee, and Kingston, in Jamaica, was, one million three hundred and thirty-seven thousand twenty-one pounds sterling, or five million nine hundred and forty-two thousand three hundred and fifteen dollars fifty-six cents.

The *wet* docks or basins of *Cherbourg are* estimated to have cost three millions sterliug or thirteen million three hundred and thirty-three thousand three hundred and thirty-three dollars and thirty-three cents.

In England dock yards were first established, during the reign of Henry VIII. During that reign, the first dock yard, Woolwich, was created: those of Portsmouth, Deptford, Chatham, Sheerness, Plymouth, and Pembroke, have followed in succession.

"From the first establishment of the King's dock yards, to the present time, most of them, have gradually been enlarged, and improved by a succession of expedients and makeshifts, which answered the purposes of the moment; but the best of them, possess not those conveniences and advantages which might be obtained from a dock yard, systematically laid out, on an uniform and consistent plan, with its wharves, basins, docks, slips, magazines and work shops, arranged according to fixed principles, calculated to produce convenience, economy and despatch."*

Among the experiments made in England, for facilitating the repair of ships, is the following, which is mentioned here for the purpose of enabling the reader to compare it with the invention of commodore Rodgers.

A few years since the Kent, of seventy-four guns, weighing one thousand four hundred tons, was hauled up, *on a building slip.* Previously to this being done, she was taken "into dock, to have her bilgeways fitted, and her bottom prepared for placing her on the slip," and she was "stripped so as to be made as light as possible." The bilgeways to her bottom, were such as are used for launching ships, they were secured to the bottom, by sixty-four wood and iron knees, thick plank bolted to

*Ency. Britan.

the bottom the whole length of the ways, and about fifty large chocks over the plank.—She remained in dock twelve days, during which time there were employed on her one hundred and fifty shipwrights, ten blacksmiths, and fifty laborers. She was thus prepared for being brought to the slip on which she was to be hauled up. When brought to the slip, it required 2,116 men, with fourteen capstans, to haul her up. When *all the purchases were brought to bear** she was hauled up in forty minutes.

After being hauled up, fifty men were employed one week, to unbolt and clear the bilgeways from her bottom; and when thus cleared of the bilgeways, her bottom timbers, by the numerous perforations made in them in order to bolt on the bilgeways, were found generally to have sustained so much injury as to render them unfit for further use.

"The expense of *preparing* her, and the loss and wear and tear of the materials, was estimated at somewhere about two thousand pounds sterling"* or $8,888. The expense of hauling her up, of dispossessing her of the bilgeways, cannot be ascertained satisfactorily—neither can the amount of the *injury* she sustained by having the bilgeways fixed to her bottom. That nation has not, it is believed, made a *second attempt* to haul up a ship of the line!

The weight of the Kent was about three hundred tons less than that of the Potomac, which has been hauled up at Washington, at much less expense, without sustaining *any injury*!

Upon these facts, the reader will make his own comments.

TIMBER.

Under the act of 25th February, 1799, we find that in the year 1805, there had been collected the following quantities of live oak and walnut:

At Norfolk, - - - -	19,343	cubic feet.
Washington, - - -	4,885	
Philadelphia, - -	21,032	
New-York, - - -	17,653	
Charlestown, - - -	37,914	
Portsmouth, N. H. - -	17,687	
	118,514	live oak,
Washington—walnut, - -	27,638	
	146,152,	

cubic feet of live oak and walnut, cut to moulds for the frames of ships of the line—besides, about ten thousand tons of promiscuous live oak, white oak, and pine; and upwards of six thousand tons were collected after the year 1805. The

*Ency. Britan.

value of the whole was estimated at five hundred and eighty thousand dollars.

A considerable portion of the timber thus collected was used in the construction of the ships of the line: the Washington, Independence, Franklin, and Columbus. Portions have occasionally been used in the repair of our ships, and many valuable pieces of live oak were, improvidently, loaned to other departments of the government, for purposes, for which elm or white oak would have answered equally well.

By the act of 28th March, 1812, Congress appropriated two hundred thousand dollars annually for three years, to be applied to the purchase of timber suitable for naval purposes. It is understood that a considerable amount of this appropriation was applied to the purchase of timber, and that some of the timber thus procured was used in the construction of ships at Washington, which were afterwards burnt—and with them, the greater part of the timber collected at that depot.

We apprehend that the policy in which this annual appropriation of two hundred thousand dollars originated, was to provide a stock of *seasoned* timber—and in this view, experience and œconomy highly recommend the measure—but we can discern no peculiar advantage in a special provision of this kind, if the timber is to be used as soon as it is received, in a green unseasoned state. The ordinary appropriation for "repairs of vessels," enables the government to provide a certain quantity of *green* timber every year: the use of which, before it becomes seasoned, ought, we should think, to be positively prohibited excepting in cases of urgent necessity—unfortunately, however, such cases have too frequently occurred. Not having a stock of seasoned timber on hand, the government is of necessity often compelled either to use green timber, or to delay the repairing of ships, to a period very inconvenient for the public good. Well seasoned timber is but seldom kept on hand for sale—and when found in the market, extravagant prices are demanded for it.

If we had a stock of about a million of cubical feet of seasoned timber, and were to keep this stock up by annual purchases, taking care to use that timber first which should have been first provided, so that none but seasoned timber should ever be used, either in the construction or repair of our ships, the ultimate saving to the nation would be much greater than we are generally aware of; and by having this timber fashioned, and keeping a supply of spare masts, spars, yards, &c. for the different classes of ships, much time, as well as treasure would be saved.

We shall hereafter revive this subject, and offer such reflections as may have a tendency to show its connection with the best interests of the Navy.

List of the officers of the navy, before the peace establishment law of 1801, was passed.

Captains.

John Barry,	appointed 1794,
Samuel Nicholson,	
Silas Talbot,	
Richard Dale,	
Thomas Truxtun,	
James Sever,	
Stephen Decatur,	1798, 11th May,
Christopher R. Perry,	7th June,
Richard V. Morris,	7th -
Alexander Murray,	1st July,
Daniel McNiell,	17th July,
Thomas Tingey,	3d September,
Patrick Fletcher,	9th -
George Cross,	10th -
Samuel Barron,	13th -
Moses Brown,	15th -
Moses Tryon,	16th -
Richard Derby,	1799, 22d February,
George Little,	4th March
John Rodgers,	5th -
Edward Preble,	15th May,
John Mullowny,	21st -
James Barron,	22d -
Thomas Baker,	15th June,
Henry Geddes	24th September,
Thomas Robinson,	24th -
William Bainbridge,	1800, 20th May,
Hugh G. Campbell,	16th October,

Masters Commandant.

Cyrus Talbot,	1799, 21st May,
David Jewett	1st June,
William Cowper,	13th July,
Richard Law, jun.	16th December,
Charles C. Russell,	1800, 15th January,
Benjamin Hillar,	8th February,
John A. Spotswood,	15th -

Lieutenants.

David Ross,	1798, 9th March,
Charles Stewart,	9th -
Richard C. Beale,	9th -
Isaac Hull,	9th -
Archibald M'Elroy	11th -
Andrew Sterrett,	25th -
Thomas Wilkey,	25th -
David Phipps,	3d July,
Josias M. Speake,	3d -
Joseph Strout,	3d -

Francis H. Ellison,	1798,	10th July,
Ambross Shirely,		1st August,
John Shaw,		3d -
M. Simmons Bunbury,		4th -
John M'Rea,		10th September,
Isaac Chauncey,		17th -
Robert W. Hamilton,		17th -
John Cruft,		18th -
Samuel Chase,		21st -
Wilson Jacobs,		1st October,
John Ballard,		2d
John Warner,		2d -
Zachariah Rhodes,		23d -
James Burns,		29th -
Samuel Heyward,		31st -
John Archer,		8th November.
Killaer H. Van Rennselaer,	1799,	7th January,
John Davidson,		31st -
Henry Seton,		7th February,
Richard Marner,		1st March,
Thomas Laing,		2d -
Isaac B. Hichborn,		3d -
Robert Haswell,		4th -
Samuel Philips,		4th -
William Smith,		5th -
John Rush,		5th -
Robert Palmer,		6th -
William Flag,		7th -
John Smith,		8th -
Jeremiah Fenner,		9th -
Samuel Parker,		18th April,
John May,		24th -
Cornelius O'Driscoll,		26th -
Edward Meade		29th May,
Freeborn Banning,		1st June,
Richard Somers,		2d -
Stephen Decatur, jun.		3d -
Joseph Saunders,		10th June,
Mark Fernald,		10th -
William Peterkin,		11th -
John H. Jones,		12th -
John Carson,		13th -
Joseph Ingraham,		14th -
George Cox,		15th -
Gerrald Byrne,		17th -
Jonathan Titcomb, jun.		20th -
Edward Boss		27th -
James P. Watson,		29th -
Robert Wells,		1st July,
Samuel Brookes,		10th -
John H. Dent,		11th -
Thomas Robinson, jr.		12th -

Miles King,	1799,	13th July,
John Latimer,		14th -
John Cowper,		24th -
L. S. Daubeney,		19th -
James Campbell,		20th September,
John T. K. Cox,		22d -
Abraham Ludlow,		1st October,
William C. Jenks,		2d -
David Porter,		8th -
Benjamin F. Knapp,		10th -
Robt. Harrison,		14th October,
Wm. Penrose,		19th, -
Charles Jewett,		30th, -
John Cassin,		13th November,
Saml. McCutchon,		14th, -
Jos. E. Collins,		15th, -
James Murdock,		15th, -
Richd. Clark,		19th, -
Thomas B. Davis,		19th, -
Saml. Evans,		25th, -
John Love,		29th, -
George G. Lee,		2d December,
Charles Gordon,	1800,	16th, January,
Jno. W. Whidbie,		16th, -
Richd. H. L. Lawson,		16th, -
Thos. N. Gautier,		15th February,
Godfrey Wood,		16th, -
Wm. Wells,		17th, -
Stephen Clough,		17th, -
Edwd. Wyer,		18th, March,
George W. Tew,		1st April,
Jos. Beale,		19th, -
Henry Vandyke,		1st May,
James Smith,		28th, -
John Galven,		3d June,
John M. Claggett,		25th, -
Phil. C. Wederstrandt,		25th, -
Joshua Blake,		4th July,
Seymour Potter,		15th August,
Edwd. Brock,		18th, -
Redmon McClannan,		23d, -
Joseph Tarbell,		25th, -
John Foot,		26th August,
Wm. Crispin,		3d September,
James R. Caldwell,		1st November,
Wm. Davis,		3rd December,
Lewis C. Bailey,		1st November,
Jacob Jones,		27,th -

Surgeons.

George Gillaspy,	1798,	9th, March,
George Balfour,		9th, -

George Wright, - - 20th June,
Thos. Reynolds, - - 10th September,
Jeffrey D. Shanley, - - 1798, 10th September,
Joseph Lee, - - 27th October,
John K. Read, - - 1799, 5th February,
Hector Orr, - - 1st March,
James Wells, - - 24th April,
Anderson Warfield, - 1st June,
Wm. Graham, - - 7th -
Edwd. Cutbush, - - 28th May,
Asa Sargent, - - 15th June,
Isaac Henry, - - 12th July,
John Bullus, - - 20th July,
George Davis, - - 22d -
Peter St. Medard, - - 1798, 17th December,
Henry Wells, - - 1799, 2d August,
Hanson Catlett, - - 14th -
Amos Winship, - - 12th September,
John Park, - - - 14th October,
Thos. Triplett, - - 14th -
Robt. Harris, - - - 7th November,
Saml. R. Marshall, - 1800, 16th January,
Benj. Champney, - - 1799, 30th November,
Benj. Shurtliff, - - 23d December,
Joseph Anthony, - 1798, 20th June.
Wm. Turner, - - 1800, 31st August,
Saml. Anderson, - 25th -
James Dodge, - - 11th September,
John Goddard, - - 23d August,
Peter Ward, - - 8th May,
Walter W. Buchanan, 1800, 6th October,
Charles Webb, - - 19th November,

Surgeon's Mates.

Nathan Tisdale, - - 1799, 10th March,
John Murdaugh, - 13th July,
Nobias atkins, - - 20th -
Thos. L. Dart, - - 2d August,
Edward Field, - - 6th -
Alex. McWilliams,
James Boyd, - - 19th October,
John C. Strong, - 19th, -
John A. Casey, - - 30th, -
Jona. Cowdery, - 1800, 13st January,
Francis LeBarron, - 2d -
Benj. G. Harris, - 10th February,
Thos. D. Price, - - 1st April,
Robt. Starke, - - 18th, -
Starling Archer, - - 18th, -
Matathias Rice, - 13th May,
Wm. Turk,
Gersham R. Jaeques, - 21st May,

Thos. Starke, - - 9th July,
Hugh Aitkin, - - 15th, -
Daniel McCormick jr. 1800, 1st August,
Thos. H. M Fendall, - 20th, -
James H. Bradford, - 23d August,
John P. Fisher, - - 22d September,
Charles T. Thornton, - 22d, -
Saml. E. Willett, - - 24th, -
John H. Perkins,
Thos. Marshall.

Sailing Masters.

Nathanial Harraden, - - 1798, 30th June.
Lemuel Little, - - - 9th August.
Benj. Sayer, - - - 14th -
Loudon Bayley - - - 4th September.
William Knight, - - - 2d October.
George A. Hallowell, - 4th -
Shubael Downes, - - - 15th, -
James F. Goelete, - - 10th -
Thos. Rodgers, - - - 31th -
Josiah Hazard, - - - 23d -
Moses Durkham, - - - 29th November.
James Trant, - - - 1799 10th April.
Joshua Johnson, - - - 6th August.
Nathl. Stanwood, - - 1800 2d January.
William Glover,
Edward Ballard, - - - 28th February.
Levi Barden, - - - 17th March.
John King, - - - - 16th April.
Rich. C. Brandt, - - 16th May.
Samuel Plummer, - - 13th August.
William Wescott, - - 1799, -
Neils C. Bang, - - - 1800, 23d -

Pursers.

Isaac Garretson, - - 1798, 1st May.
James S. Deblois, - - - 5th -
Robert Lewis - - 11th -
Charles Wadsworth, - - 20th -
Edward J. Peyton, - - 11th June.
John Muse, - - - 27th September,
John Martin, - - - 5th October,
Joseph Hooper, - - - 9th November,
Buller Cocke, - - - 6th October,
Benjamin Alline, - - 12th -
Charles Morris, - - 1799 4th February,
Peter Trezvant, - - - 10th March,
Moses Allen, - - 15th May,
Silas Bulter, - - - 3d July,
Samuel J. Cox, - - 11th -

Jabez Champlin, - - - 1799, 6th August,
William Davis, - - 14th -
Henry Darby, - - - 29th July,
Timothy Winn, - - 29th June,
James Key, - - - 28th August,
Peter Garts, - - - 28th -
Ashbell Fenton, - - - 14th October,
Wm. S. Thom, - - 15th -
Thomas J. Chew, - - - 31st -
William Mumford, - - 13th November,
Francis Tompkins, - - 19th March,
Stephen Merrill, - - 4th December,
Thomas Stanford - - 1800, 8th January,
James Rand, - - - 12th March,
Thomas Johnston, - - - 22d -
Keith Spence, - - - 10th May.
Lewis F. Raynal, - - - 30th -
Silas Dinsmore, - - 31st -
George Wily, - - 4th August,
Mark Stockwell, - - 30th -
William Hollingsworth, - 22d September
Samuel Young - - 24th July,
John P. Lynch, - - 1801, 8th January,
Nicholas O'Callaghan, - 24th February,

Boatswains.

George Hodge, - - - 1798, 11th May,
Thomas Stanley, - - 19th June,
John Allen, - - 1st November,
Robert Thompson,
John Frazier,
Thomas King, - - 1799, 11th June,
Thomas Wilson, - - - 21st September,
Richard Davis,
Thos. Platt,
James Potts, - - - 1798, 20th May,
Thos. Tickner, - - 19th October,
John Webb, - - 12th November,
Joseph Martin, - - 2d December,
John Leighton, - - 1800, 31st January,
John Thompson, - - 17th March,
William Whitehead, - - 17th May,
Augustus Serry. - - 31st July,

Gunners.

William Rodgers, - - 1798, 11th May,
John Marshall, - - 6th July,
James Morgan, - - 5th December,
Francis Dixon,
Edward Durant, - - - 1799, 20th May,
James Moore, - - - 30th June,
Thomas Street, - - - 12th November,

William Lamand,	1799,	20th November
Andrew Purvis,		25th -
Samuel Massury,		2d December,
Nathaniel Hunt,	1800,	15th January,
Andrew Shaw,		31st -
Philip New,		26th March,
John May,		14th May,
John Hays,		14th March,
William Slater,		24th May,
James Barnet,		27th -
George Western,		1st August,
Luther White,		23d -
Sailmakers,		
Isaac Steel,		
Peter Clopper,		
Robert Davison,		
William Felt,		
Thomas Burk,		
David Pettis,		
Robert Dickay,		
James Ricard,		
Henry Coffin,		
James Butler,		
Carpenters.		
John Smith,		
James Morris,		
George Bender,		
Pliney Davidson,		
John W. Rush,	1799,	25th November
Benj. Woodwell,	1800,	31st January,
Alexander Adams,		26th March,
Matthew Brown,		14th April,
Persifor Taylor,		17th -
Thomas M. Brooks,		27th May.
John Parsem,		12th July,
Joseph Morey,		1st August,
Moses Jay,		1st October,
Midshipmen.		
James Macdonough,	1798,	16th March,
Joseph Bush,		30th April.
William Morrell,		11th May,
Thomas Burrows,		23d -
Robert C. Pugh,		24th -
George Calder,		29th June,
Arthur Sinclair,		29th -
Benj. Carpender,		10th July,
Jacob R. Valk,		24th -
Richard Thomas,		3d August,
Abner Woodruff,		1st September,

Theodore Hunt,	1798,	2d September,
William Lewis,		3d -
James Lawrence,		4th -
Arnold Whipple,		6th October
Benjamin Smith,		9th -
Chr. V.S. Carpenter,		11th -
Joshua Herbert,		13th -
Joseph Murdock,		14th Novem.
James Decatur,		21st -
Charles Ludlow,		29th -
Thomas Truxtun, jr.		1st December,
Samuel Elbert,		11th -
John W. Duncan,		31st -
Wm. M. Livingston,		31st -
Sybrand Vanschaik,		31st -
George W. Reed,		31st -
George Boyd,	1790,	13th January,
John Gault,		16th -
Samuel Douglass,		7th February,
Daniel M'Niell, jr.		12th January,
James Roache,	1798,	5th Decem.
Robert Warren,		
Michael Carroll,		
Humph. Magrath,	1799,	4th February,
William Flemming,		20th -
Christ. Gadsden, jr.		22d -
Thomas Ellis,		23d -
John Gallaway,		25th -
James T. Leonard,		26th -
Th. R. Hardenburgh		27th -
William Rhodes,		28th -
Samuel Ling,		28th -
John T. Ellsworth,		1st March,
Henry Morrison,		1st -
Joseph Maxwell,		1st -
Peter Bounetheau,		1st -
Maurice Simons,		1st -
Thomas Deveaux,		2d -
Aaron F. Cook,		2d -
Hugh K. Toler,		2d -
Daniel Polk,		16th -
Edward Ford,		3d -
Kennith M'kensie,		3d -
Charles Morris,		9th -
John Dubose,		10th -
Benjamin Yancy,		14th -
William M. Miller,		15th -
Walter Winter,		22d -
Daniel C. Heath,		28th -

George W. Coffin,	1799,	1st April,
John Trippe,		5th -
Edwad N. Cox,		6th -
Oliver H. Perry,		7th -
Thomas Gordon,		7th -
Robert Henley,		8th -
Joseph Bainbridge,		8th -
Isaac Cox,		9th -
William Hartigan,		11th -
Archibald Frazier,		16th -
John M. P. Gardner,		1st May,
Owen Smith,		8th -
George Williamson,		8th -
I. T Clark,		15th -
Abel Lincoln,		15th -
Joseph Cordis,		15th -
Benjamin Conant,		15th -
Joseph Richardson,		16th -
James Dick,		22d -
William M. Crane,		23d -
Joseph Williston,		3d June,
John S. Webb,		4th -
Elias Willis,		4th -
Simon Hart,		8th -
Joseph Willitson,		11th -
Habijah Savage,		12th -
James E. West,		12th -
Rich'd B. Randolph,		10th -
Joseph Prince,		13th -
Henry Somes,		15th -
David Service,		15th -
George Pierce,		15th -
Timothy Pickering,		17th -
Lewis W. Henop,		17th -
Joseph Gantt,		18th -
John E. Fisher,		19th -
William Giddeons,		20th -
Robert Stewart,		20th -
William Ingraham,		20th -
William Neilson,		20th -
Joseph B. Hennessey,		20th -
James P. Hunt,		20th -
Samuel G. Blodgett,		24th -
Rob't L. Tilghman,		24th -
Wm. Whitesides,		24th -
Charles Miles,		24th -
James Gibbon,		24th -
Alex. Harrison,		26th -
Samuel Bullen,		20th May,
John G. Norwood,		20th -

Fred. N. Hudson,	1799,	5th July
John Kiddall,		8th -
Archibald B. Lord,		9th -
Thomas Jones,		10th -
Enoch Brown,		10th -
Wm. M'Hatton,		10th -
Franklin Reid,		13th -
Daniel Murray,		13th -
John Garlick,		13th -
Geo. W. Spottswood		15th -
Richard Gantt,		16th -
L. Warfield,		16th -
John F. Fox,		30th June,
William Dunn,		30th -
S. Leonard,		30th -
John Longley,		30th -
Benjamin Shattuck,		30th -
James Mulne,		30th -
Jona. P. Hitchcock,		8th August,
Thomas N. Willis,		14th February,
William B. Suggs,		27th -
James Cox,		28th August,
Thomas Homan,		28th -
Henry Wadsworth,		28th -
John Livingston,		30th July,
Geo. A. Marcellin,		30th -
Benj. B. Provost,		30th -
Joseph Dorr,		11th September,
George Tryon,		11th -
Ower Tudor,		11th -
Matthew Talcott,		11th -
Thomas Robinson,		11th -
Thomas Randall,		23d -
Samuel Clements,		23d -
David Deacon,		1st October,
Ralph Izard,		2d -
John D. Henley,		14th -
George H. Geddes,		14th -
Charles G. Ridgely,		17th -
Joseph B. Wharton,		19th -
James Hite,		21st -
Reuben Broughton,		23d -
William Campbell, jr.		28th -
Charles G. Cannon,		30th -
James S. Higinbothom,		31st -
William Blake,		31st -
Thomas M. Rogers,		31st -
George Jewett,		31st -
John N. Chester,		31st -
Charles Bulkley,		31st -

Edward O'Brien,	1799,	31st October,
Samuel Angus,		6th November,
Caleb Allen,		6th -
Robert Flinn,		12th -
J. B. Wilkinson,		15th -
William F. Gist,		19th -
George Dabney,		19th -
Keyran Walsh,		19th -
Philip Henop,		26th -
Francis Patton,		26th -
James Penrose,		30th -
Daniel Sim,		18th -
Samuel Conant,		2d December,
James H. Adams,		2d -
Samuel Stubbs,		2d -
William Scellend,		2d -
John Shattuck,		2d -
John Rowe,		2d -
George W. Ridgely,		5th -
John Polk,		5th -
John Wood,		7th -
Joseph Field,		7th -
William Butler,		7th -
Charles Read,		12th -
Lewis M'Lane,		3d May,
William Smith,	1800,	2d January,
Charles Wilson,		2d -
Clem. Lindsey,		2d -
John Legg,		2d -
John Goodwin, jr,		2d -
Jonathan Bulkley,		2d -
William Kean,		4th -
William Burrows,		4th -
Westwood T. Mason,		4th -
Edward Bennett,		4th -
P. L. Ogilvie,		6th -
Charles W. Jones,		6th -
Lewis Warrington,		6th -
Octavus A. Page,		6th -
Allen J. Green,		6th -
James Rogers,		12th -
Darius Dunn,		14th -
William Gregory,		22d -
John Tapley,		31st -
Phineas Stone,		31st -
Daniel Brown		31st -
George Parker,		3d February,
George Merrill,		5th -
Robert Dorsey,		5th -

Johnston Blakeley - -	1800, 5th	February,
Skinkin Moore, -	5th	-
Henry Page, - -	5th	-
Winlock Clarke,	5th	-
Charles Moore, - -	5th	-
Thomas Macdonough,	5th	-
John Witherspoon, -	5th	-
Charles Chilton, - -	5th	-
John D. Sloat, - -	12th	-
Clem. Biddle, jr. - -	12th	-
James Biddle, - -	12th	-
Edward Biddle, - -	12th	-
William Griffith, -	17th	-
Thomas T. Beall, - -	17th	-
Willliam T. Nicholls, -	17th	Junuary,
Abijah J. Henton, - -	15th	February,
Foster Perkins, - -	18th	-
George W. Steinhauer,	18th	-
William Duncanson, -	20th	-
James Eakin, - -	21st	-
Thomas Hughes, - -	21st	-
Stephen Cassin; -	21st	-
William Henderson, -	6th	March,
Charles Coombes, -	8th	-
Archibald M'Call, - -	8th	-
John Stevens, - -	8th	-
Robert C. Rosseter, -	11th	-
Ephraim Blaines, -	7th	-
John Hartley, - -	20th	-
Alfred Hazard, -	23d	-
John Rawling, - -	25th	-
Robert M'Connell, -	26th	-
Benjamin Page, -	26th	-
Wm. W. Barker, -	26th	-
Thomas F. Pennington, -	28th	-
Peter Ferrall, - -	28th	-
William H. Smith, - -	31st	-
Isaac Whitlock, -	4th	April,
Joseph Tuffs, - -	4th	-
Jesse V. Lewis, -	12th	-
Peter E. Bentley, - -	12th	-
Seymour Hooe, - -	14th	-
George Gray, - -	14th	-
Richardson Taylor, -	14th	-
Mordecai Gist, - -	14th	-
Henry Bettner, - -	14th	-
Thomas O. Anderson, -	14th	-
Thomas Hunt, - -	14th	-
Matthew French, - -	14th	-
Richard Carson, -	14th	-

Samuel Child,	1800,	14th April,
James Harmum, jr.		14th -
William Whistler,		14th -
Edward Trenchard,		14th -
Wm. M'Intosh,		14th -
John Smith,		14th -
George Mitchell,		20th -
Sloss H. Grenel.		28th -
Archibald K. Kearney,		28th -
Henry Geddes, jr.		28th -
Jonathan Thorn,		20th -
Robert Miller,		28th -
William Thornton,		28th -
John Rowand,		28th -
David Byers,		28th -
William H. Allen,		28th -
Joseph Stickney,		28th -
John Nicholson		1st May,
John Palmer,		2d -
Robert N. Page,		2d -
Philip C. Blake,		5th -
George Levely,		6th -
A. D. Wainwright,		9th -
Samuel Proctor,		9th -
Charles Neyle,		9th -
John Cochran,		9th -
Edward Giles,		9th -
M. T. Woolsey,		9th -
Daniel S. Dexter,		9th -
Wilson Elliott,		9th -
Calvin Stevens,		9th -
John Pemberton		13th -
Alexander Laws,		15th -
Edward Attwood,		15th -
Robert T. Spence,		15th -
Philip Moses,		17th -
George D. Evans		21st -
Leroy Opie,		21st -
James Ferguson,		22d -
Marshall Glenn		22d -
John Harris,		27th -
Charles Morris, jr.		27th -
John Goodwin,		27th -
James Biggs,		28th -
John Patton,		28th -
Thomas Swartwout,		28th -
John Orde Creighton,		25th June.
Jacob Vickery,		25th -
Richard Harrison,		7th July,
James Renshaw,		7th -

Walter Lawrence,	1800,	7th July
Samuel Aldrick,		7th -
James Bryden.		9th -
Andrew H. Voorhees,		12th -
Henry P. Casey,		17th -
John Wood,		18th -
Sidney Smith,		26th -
Ezra Mantz,		29th -
James Nicholson.		29th -
Charles Robinson,		31st -
Isaac B. Forman.		1st August,
Wm. Miller,		2d -
Wm. H. Thorn,		2d -
Walter Boyd,		4th -
John M. Haswell		15th -
William D. Henley,		20th -
Edward Randolph,		20th -
Daniel T. Patterson,		20th -
Charles Angier,		21st -
James Macay,		25th -
James Sander,		27th -
Sewal Handy,		28th -
Robert Innes,		28th -
Benjamin Fendall,		26th December,
Benjamin Turner,		27th -
John Davis,		7th November,
Benjamin F. Stoddert,		8th -
Barnard Henry,		12th -
Montg. Newman,		21st -
Wallace Wormley		24th -
Laurence Keen,		9th December,
William Cutbush,		9th -
John Brown,		9th -
Samuel Allen,		9th -
Jon. C. Shaw,		31st December,
Lloyd Nicols,	1801,	3d January,
Geo. S. Hackley.		3d -
Richd. B. Baker,		15th, -
Jno. Provaux,		15th, -
Wm. Smith,		15th, -
Jos. Israel,		15th, -
George Mann,		15th, -
Wm. M. Smith.		12th, -
Saml. Cooper,		12th, -
Chas. Clarke,		20th February,

List of officers retained in the Navy, after the passage of the Peace Establishment law, of 3d March, 1801.

Captains arranged according to rank.

John Barry,
Samuel Nicholson,
Richard Dale,
Thomas Truxtun,
Richard V. Morris,
Alex. Murray,
Samuel Barron,
John Rodgers,
Edward Preble,
James Barron,
William Bainbridge,
Hugh G. Campbell,
Thomas Tingey.

Lieutenants, according to rank.

Charles Stewart,
Isaac Hull,
Andrew Sterrett,
John Shaw,
John McRea,
Isaac Chauncey,
Robert W. Hamilton,
John Ballard,
John Rush,
John Smith,
Freeborn Banning,
Richard Somers,
Stephen Decatur, jr.
George Cox,
John H. Dent,
Thomas Robinson, jr.
John Cowper,
John T. K. Cox,
Wm. C. Jenks,
David Porter,
John Cassin,
Samuel Evans,
George G. Lee,
Charles Gordon,
Richard H. L. Lawson,
Godfrey Wood,
Edward Wyer,
George W. Tew,
Henry Vandyke,
John M. Clagett,
Phil. C. Wederstrandt,
Joshua Blake,
Joseph Tarbell,
James R. Caldwell,
Lewis C. Bailey,
Jacob Jones.

Surgeons.

George Balfour,
John K. Read,
James Wells,
Anderson Warfield,
Edward Cutbush,
John Bullus,
George Davis,
Peter St. Medard,
Thomas Triplett,
Robert Harris,
Samuel R. Marshall,
Wm. Turner.
James Dodge,
John Goddard.

Surgeon's Mates.

Nathan Tisdale,
Alex. McWilliams,
James Boyd, jr.
Jona. Cowdery,
Starling Archer,
Hugh Aitken,
Daniel McCormick, jr.
Samuel E. Willett, jr.
Thomas Marshall.

Sailing Masters.

Nathaniel Harraden,
Wm. Knight,
Josiah Hazard,
James Trant,
Levi Bardin,
Richard C. Brandt,
Josias M. Speake.

Pursers.

Isaac Garetson,
Jas. S. Deblois,
Charles Wadsworth,
Buller Cocke,
Benj. Alline,
Silas Butler,
Timothy Winn,
Thomas J. Chew,
Thomas Johnston,
Keith Spence.

Boatswains.

George Hodge,
Joseph Martin,
Wm. Whitehead,
Augustus Serra,

Gunners

Wm. Rodgers,
John Marshall,
James Morgan,
Samuel Massury,
George Western,

Sailmakers.

Isaac Steel,
Wm. Clark,
Jacob Miller,
Samuel S. Green,

Carpenters.

John W. Rush,
Matthew Brown,
Oliver Rumsey,
Wm. Godby,
Persifor Taylor,

Midshipmen.

A

Henry Allen,
Saml. Angus,
Thos. O. Anderson,

B

William Butler,
Joseph Bainbridge,
Wm. Burrows,
Wm. Blake,
Saml. G. Blodgett,
Clement Biddle,
James Biddle,
Phil. C. Blake.
Edwd. Bennett,
Johnston Blakely,
Thos. T. Beale,
Walter Boyd,
Peter E. Bentley,
James Biggs,
Ephm. R. Blaine,
Thos. Brown,

C

Michael B. Carroll,
George Calder,
Edwd. N. Cox,
Aaron F. Cook,
Wm. Campbell,
Wm. M. Crane,
Stephen Cassin,
J. Orde Creighton,
Henry P. Casey,
Wm. Cutbush,
Henry J. Cobb,
J. P. D. H. Craig,
Richd. Carey,
Charles Coombs,
Winlock Clark,

D

James Decatur,
Wm. Duncanson,
John Dorsey,
Daniel S. Dexter,
John Davis,
David Deacon,
George Dabney,
John Downes,

E

Sl. Elbert,

G

John Gallaway,
James Gibbon,
Jno. M. P Gardner,
Sloss H. Grenell,
Edwd. Giles,
Allen J. Green,
Jno. Goodwin, jr.
George H. Geddes,
Marshall Glenn,
Christ. Gadsden, jr.
Wm. Gregory,

H

Jas. S. Higinbothom,
Alex. C. Harrison,
Barnard Henry,
George Hackley,
Sewal Handy,
Thos. R. Hardenburgh,
Philip Henop,
Abijah J. Hinton,
John D. Henley,
Seymour Hooe,
Alfred Hazard,
John Hartley,
Montresor Haswell,
Theodore Hunt,
Danl. C. Health,
Robert Henley,

I

Ralph Izard,
Joseph Israel,
Robt. Innes,

K

A. K. Kearney,

L

Charles Ludlow,
James T. Leonard,
James Lawrence,
Wm. Livingston,
A. B. Lord,

M

Daniel McNiell jr,
Joseph Murdock,
Lewis McLane,
Wm. Miller,
Joseph Maxwell,
Charles Mills, jr.
Danl. Murray,
Geo. A. Marcellin,
Charles Morris, jr.
Charles Moore,
George Merrill,
Archd. McCall,
Wm. McIntosh,
Geo. Mitchell,
Jas. Macay,
Thos. Macdonough,
Humphrey Magrath,
George Mann,

N

Jno. Nicholson,
Jas. Nicholson,
Wm. F. Nicholls,
Wm. Newman,

O

Edwd. O'Brien,
Peter S. Ogilvie,

P

Francis Patton,
Danl. Polk,
Oliver H. Perry,
Benj. Page,
Octavus A. Page,
Henry Page,
Danl. T. Patterson,
George Parker,
Stephen Proctor,

R

States Rutledge,
Chas. G. Ridgely,
Hethcote J. Reed,
George W. Reed,
Charles Reed,
Benj. F. Read,
Jos. Richardson,
John Rowe,
Jas. Renshaw,
Chas. Robinson,

S

Benj. Smith,
Arthur St. Clair,
Robt. Stewart,
Wm. Scallen,
Jno. Shattuck,
G. W. Spottswood,
Maurice Simons,
Danl. Simms,
John Shore,
Habijah Savage,
Wm. P. Smith,
Sidney Smith,
Thos. Swartwout jr.
Robt. T. Spence,
Simon Smith,
Wm. M. Smith,

T

Richd. Thomas,
John Trippe,
Robt. L. Tilghman,
Wm. Thom,
Ewd. Trenchard,
Jonathan Thorn,
Benj. Turner,

V

Jacob R. Valk,
Jacob Vickery,
Sybrant Vanschaick

W

Abner Woodruff,
Daniel Wurts,
Elias Willis,
Henry Wadsworth,
John Wood,
Walter Winter,
Lewis Warrington,
Chas. Wilson,

M. T. Woolsey,
Wallace Wormley,
Saml. Woodhouse,

159.*

Chaplains.

Saml. Chandler,
Robt. Thompson,
Alex. McFarlan,
Noadiah Morris,

Corps of Marines, Officers on the roll 1802. *W. W. Burrows, lieutenant colonel commandant.*

Captains.

Franklin Wharton,
Daniel Carmick,
James McKnight,
John Hall,
Edward Hall,
Michael Reynolds,
John Howard,
Sam'l Llewellyn,
Thomas Barclay,
John R. Fenwick,
Samuel Baldwin,
John Johnson,
Wm. S. Osborne,

1st Lieutenants.

James Weaver,
Barth'w Clinch,
Anthony Gale,
Robert Rankin,
Henry Caldwell,
Josiah Riddick, jr.
William Amory,
James Thompson,
Jas. R. Middleton,
Newton Keene,
Nath'l R. Sheridine,

2d Lieutenants.

Philip Alexander,
Thos. W. Hooper,
Presley N O'Bannon
Enoch S. Lane,
Robert Greenleaf,
Jacob Giles Smith.

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* By resignations, promotions, and deaths, the number was in a few weeks reduced to one hundred and fifty.

Exhibit showing the cost of the several vessels in the Navy of the U. States, including ordnance and military stores, 1801.

	Tonnage.	No. of guns.	Cost.
United States,	1,444	44	$229,336 56
Constitution,	1,444	44	302,718 84
Constellation,	1,268	36	314,212 15
Congress,	1,268	36	197,246 81
President,	1,444	44	220,900 08
Chesapeake,	1,044	44	220,677 80
Philadelphia,	1,040	44	179,549
New-York,	1,130	36	160,000
Essex,	850	32	139,362 58
John Adams,	544	24	113,505 72
Adams,	530	24	76,622 27
George Washington,	624	24	69,024 92
Boston,	530	24	119,570 04
General Greene,	645	24	105,492 52
Insurgente,		36	137,980 23*
Ganges,	504	24	80,665 24
Portsmouth,	590	24	59,561 52
Merrimack,	440	24	46,170 20
Connecticut,	504	24	57,260 65
Baltimore,	422	20	56,277 67
Delaware,	321	20	59,563 10
Maryland,	380	18	70,249 83
Patapsco,	380	18	73,104 40
Herald,	279	18	47,780 77
Trumbull,	400	18	58,494 91
Warren,	385	18	34,702 01
Montezuma,	347	20	55,732 13
Norfolk,	172	18	18,720 55
Richmond,	163	18	27,896 87
Pinkney,	144	18	20,000
Eagle,	187	14	22,200
Augusta,		14	16,294 29
Pickering,	187	14	32,126 06
Scammel,		14	20,000
Experiment,	135	12	13,381 18
Enterprize,	135	12	15,046 30
GALLEYS. S. Carolina,			5,146 54
Charleston,			5,190 04
Beaufort,			5,030 53
St. Mary's,			5,575 11
Savannah,			6,228 69
Protector,			4,443 59
Mars,			4,387 45
Governor Davie,			3,125 09
Governor Williams,			3,213 41
			3,583,777 58

*Original cost	84,500	
Repairs,	53,480 23	
	$137,980 23	

Exhibit showing the quantites of the component parts of the Navy ration, as established by act of 3d March, 1801, required for any number of men from one to one thousand, for one year.

	Pounds of							Galls.	Pounds.	Gallons of		
No. of men.	Beef.	Pork.	Flour.	Suet.	Bread.	Cheese.	Butter.	Peas.	Rice.	Molasses.	Vinegar.	Spirits.
1	182	156	52	26	319	20	6½	6½	52	3¼	3¼	22⅜
2	364	312	104	52	638	40	13	13	104	6½	6½	45½
3	546	468	156	78	957	60	19½	19½	156	9¾	9¾	68¼
4	728	624	208	104	1,276	80	26	26	208	13	13	91
5	910	780	260	130	1,595	100	32½	32½	260	16¼	16¼	113¾
6	1,092	936	312	156	1,914	120	39	39	312	19½	19½	136½
7	1,274	1,092	364	182	2,233	140	45½	45½	364	22¾	22¾	159¼
8	1,456	1,248	416	208	2,552	160	52	52	416	26	26	182
9	1,638	1,404	468	234	2,871	180	58½	58½	468	29¼	29¼	204¾
10	1,820	1,560	520	260	3,190	200	65	65	520	32½	32½	227½
20	3,640	3,126	1,040	520	6,380	400	130	130	1,040	65	65	455
30	5,460	4,680	1,560	780	9,570	600	195	195	1,560	97½	97½	682½
40	7,280	6,240	2,080	1,040	12,760	800	260	260	2,080	130	130	910
50	9,100	7,800	2,600	1,300	15,950	1,000	325	325	2,600	162½	162½	1,137½
60	10,920	9,360	3,120	1,560	19,140	1,200	390	390	3,120	195	195	1,365

Exhibit—Continued.

POUNDS OF								Galls.	Lbs.	GALLONS OF		
No. of men.	Beef.	Pork.	Flour.	Suet.	Bread.	Cheese.	Butter.	Peas.	Rice.	Molasses	Vinegar.	Spirits.
70	12,740	10,920	3,640	1,820	22,330	1,400	455	455	3,640	227½	227½	1,592½
80	14,560	12,480	4,160	2,080	25,520	1,600	520	520	4,160	260	260	1,820
90	16,380	14,040	4,680	2,340	28,716	1,800	585	585	4,680	292½	292½	2,047½
100	18,200	15,600	5,200	2,600	31,900	2,000	650	650	5,200	325	325	2,275
200	36,400	31,200	10,400	5,200	63,800	4,000	1,300	1,300	10,400	650	650	4,550
300	54,600	46,800	15,600	7,800	95,700	6,000	1,950	1,950	15,600	975	975	6,825
400	72,800	62,400	20,800	10,400	127,600	8,000	2,600	2,600	20,800	1,300	1,300	9,100
500	91,000	78,000	26,000	13,000	159,500	10,000	3,250	3,250	26,000	1,625	1,625	11,375
600	109,200	93,600	31,200	15,600	191,400	12,000	3,900	3,900	31,200	1,950	1,950	13,650
700	127,400	109,200	36,400	18,200	223,300	14,000	4,550	4,550	36,400	2,275	2,275	15,925
800	145,600	124,800	41,600	20,800	255,200	16,000	5,200	5,200	41,600	2,600	2,600	18,200
900	163,800	140,400	46,800	23,400	287,100	18,000	5,850	5,850	46,800	2,925	2,925	20,475
1000	182,000	156,000	52,000	26,000	319,000	20,000	6,500	6,500	52,000	3,250	3,250	22,750

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ERRATA.

Page 30, line 13, after "board," insert "*was made*,"
127, line 2, for "Rogers," read "*Rodgers*."
148, line 6, for "1899," read "1800."
213, line 5, for "nor," read "*not*."
At the bottom of page 213, in the note, for "nine thousand six hundred," read "*ninety-six thousand*."
301, line 18, for "ammount," read "*amount*."
346, line 5, for "service," read "*science*."
348, line 1, after "views," insert "*are*."
8, after "the," insert "*power of*."
37, for "lietenants," read "*lieutenants*."

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